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THE IMPERIAL CIVIL  
SERVICE OF ROME

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Cambridge Historical Essays. No. xviii

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CAMBRIDGE UNIVERSITY PRESS  
London: FETTER LANE, E.C.  
C. F. CLAY, MANAGER



Edinburgh: 100, PRINCES STREET  
Berlin: A. ASHER AND CO.  
Leipzig: F. A. BROCKHAUS  
New York: G. P. PUTNAM'S SONS  
Bombay and Calcutta: MACMILLAN AND CO., LTD.

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THE IMPERIAL CIVIL  
SERVICE OF ROME

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Cambridge :  
at the University Press

1910

Cambridge:  
PRINTED BY JOHN CLAY, M.A.  
AT THE UNIVERSITY PRESS

TO  
W. T. LENDRUM, M.A.  
TUTOR OF GONVILLE AND CAIUS COLLEGE  
IN GRATEFUL RECOGNITION OF  
MUCH HELP AND KINDNESS



## PREFACE

THE subject of this thesis was chosen by myself and approved by the examiners for the Thirlwall Prize for 1908. In accordance with the regulations the essay is now being published. My object has been to present a clear view of the growth and development of an Imperial Civil Service at Rome in the first two centuries A.D. After a general survey of the Service as a whole, I then pass on to discuss one branch of it, the "procuratores provinciarum" in more detail.

Ancient literature does not supply us with the materials necessary for a connected history of the subject; nowhere do we find it treated as a whole<sup>1</sup>, and the notices are scanty and scattered. I have attempted, however, by a careful reading of Tacitus, Suetonius, Dio, and other ancient authorities to throw as much light as possible on its general features. Fortunately the defects in our knowledge can to a large extent be remedied by the use of inscriptions, which furnish abundant evidence, and can now be conveniently consulted in the magnificent *Corpus Inscriptionum Latinarum* and other collections. To this *Corpus* I have, wherever possible, referred.

The modern literature on the subject is mainly in German, and I must frankly acknowledge a very deep

<sup>1</sup> Except very summarily in Dio, Books LII. and LIII.

debt to the work of several eminent German scholars. Above all others I must mention Otto Hirschfeld of Berlin, whose work must form the basis of all subsequent research on these lines, and Mommsen and Marquardt, whose great *Handbuch der römischen Alterthümer* is a veritable treasure-house of information for the student of the Roman Empire.

In conclusion I must not omit the pleasant duty of expressing my hearty thanks to those who have helped me in the course of my work; to Prof. Dr Ernst Fabricius of Freiburg, who gave me much valuable advice during my stay at that University, to Professor Reid and Professor Bury of Cambridge, who have very kindly assisted me in the task of revision, and to Mr W. T. Lendrum, of Gonville and Caius College, who first suggested to me this subject for research and who throughout has stimulated and encouraged me with many interesting and valuable suggestions and criticisms.

H. MATTINGLY.

BRITISH MUSEUM, LONDON.

August, 1910.

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## INTRODUCTION

THE financial system of the Roman Republic, well-adapted as it had been to the restricted conditions of the earlier days, broke down before the problems which foreign conquest brought with it. The main authority, the Senate, with the help of the censors and the quaestors, had been able to direct with success the finances of the city<sup>1</sup>. But, as the city spread its sway first over Italy, then over a large portion of the ancient world, and province after province acknowledged its rule, new difficulties arose, which could only be settled by the reconstruction of the old system or the introduction of a new. The solution of the problem was never reached under the Republic. No general system of provincial taxation was introduced; the Senate was content as a rule to take over with slight modifications the existing systems. No proper provision was made for the collection of taxes; the Senate had no better plan than to sell them for a lump-sum to the companies of 'publicani,' who then collected them as a matter of private speculation. The result was unsatisfactory both for Rome and for the provincials. The taxes in themselves were probably not excessive. But the avarice of the 'publicani' knew no bounds, and

<sup>1</sup> Cp., for the subject in general, Marquardt, *R. StV.* II. p. 298 ff.

the governor was seldom strong enough to impose any real check. The Roman State therefore allowed its subjects to be ground down for the benefit of a small class of unscrupulous speculators. It shared their guilt, but not always their profits.

That the state of affairs was becoming desperate is clearly shown by the revelations of Cicero in his 'Verrine Orations' and by numerous allusions in his letters to the political power of the 'publicani.' The great civil war of Caesar and Pompey made matters even worse, for the burden of the campaigns in Greece, Asia, Egypt, Africa and Spain must have fallen mainly on the provincials. With Caesar's final triumph came some hope of improvement. Of his financial, as of his other projects, we know but little, but that little is enough to show the direction in which his thoughts lay. He clearly intended to take the State finances into his own hands<sup>1</sup>, and, it would seem, to administer them as his private property: it is significant that he placed slaves of his own in charge of the 'vectigalia' and the mint<sup>2</sup>. In the sphere of provincial taxation he was responsible for one change of great importance: for the 'decuma' in Asia he substituted a payment in money to be made by the provincials themselves, in order to relieve them from the oppressions of the 'publicani'<sup>3</sup>. In general, he showed here, as elsewhere, a more self-confidence and thoroughgoing love of reform,

<sup>1</sup> Cp. Dio, xliii. 45. 2 στρατιώταστε μόνον ἔχειν καὶ τὰ δημόσια χρήματα περι διοικεῖν ἀκλητοσαν, ὥστε μηδένι ἀλλω μηδετέρω αὐτῶν, ὅτῳ μηδὲ εἰσιν πατρόφειον, ἔχειναι χρήσθαι (45 B.C.); cp. Appian, B.C. iv. 91.

<sup>2</sup> Suet. Div. Jul. 76 'praeterea monetae publicisque vectigalibus pecuniarum servos praeposuit.'

<sup>3</sup> Cp. Dio, xliii. 6. 3.

far less tactful moderation and compromise than Augustus. It is highly probable that many of Augustus' reforms were based on plans of Caesar, but for particular instances we generally lack evidence<sup>1</sup>.

Upon Caesar's death, chaos ruled again. The State was bankrupt, the investigation of the public finances decreed by the Senate seems to have led to nothing<sup>2</sup>, and the renewed civil wars had to be supported by exceptional exactions from the subject peoples. We need only instance the contributions levied by Cassius from Laodicea, Tarsus and Rhodes, and by Antony from the province of Asia and the East in general. The poverty of the triumvirs also helps to explain the severity of their proscriptions. A man's wealth was enough to enrol his name on the fatal list. Attempts to introduce new taxes were made<sup>3</sup>, but in the main the bad policy of special levying continued. Not till Actium had made him undisputed master of the Roman world could Augustus seriously take in hand the much-needed work of reform.

The task with which Augustus found himself confronted was no easy one. In the speeches of Agrippa and Maecenas in Dio, the financial question plays an important part. Agrippa, discouraging Augustus from taking the Empire, dwells on the inadequacy of existing revenues and the need of fresh sources of income to provide for the army and other expenses<sup>4</sup>. Maecenas,

<sup>1</sup> But cp. Dio, LV. 25. 5. Augustus introduced the 'xx hereditarium,' ὡς καὶ ἐν τοῖς τοῦ Καίσαρος ὑπομνήμασι τὸ τέλος τοῦτο γεγραμμένον εὑρών.

<sup>2</sup> Cp. Appian, *B. C.* III. 20 and 21.

<sup>3</sup> Dio, XLVIII. 34. 4 (39 B.C.).

<sup>4</sup> *Ibid.* LII. 6. 1.

while encouraging Augustus to face the task, fully recognizes the need of a reform and himself lays the plan of one before his master<sup>1</sup>. In the event we find that Augustus passed in review almost every branch of finance and left his mark on each. And, if we would understand what it was he did, we must take a brief survey of the whole field.

In the first place, there was the urgent necessity of increasing the State revenues, and that, not by overburdening the provincials, but by dividing the burden more fairly and ensuring a better collection of taxes<sup>2</sup>. At the root of Augustus' reforms lay his policy in regard to the provinces. To introduce a better system of taxation it was absolutely necessary that some sort of survey of the Empire should be made. That this was undertaken by Augustus appears certain. A vast amount of geographical information was collected by Agrippa and registered in the Emperor's 'commentarii.' The authority of Aethicus (not earlier than 7th century), who reports a survey of the whole Empire, extending from 44 B.C. to 19 A.D., is doubtful, but the fact of such a survey having taken place is sufficiently established by the evidence of Pliny, Appian and Strabo<sup>3</sup>.

Equally necessary was a census. The evidence for a simultaneous census of the whole world rests only on the

<sup>1</sup> Dio, LII. 28.

<sup>2</sup> Cp. Dio, LII. 28. Maecenas advises Augustus to raise revenue from mines and similar sources, to sell State property, κάκ τούτου τρός πᾶν τὸ λεῖπον φόρον τε ἐπιτάξαι πᾶσιν ἀπλῶς τοῖς ἐπικαρπίαν τινὰ τῷ κεκτημένῳ αὐτὰ παρέχουσι, καὶ τέλη καταστῆσαι παρὰ πᾶσιν ὡν ἀχομεν. The burden will not lie so heavy on the tax-payer, inasmuch as the demands will be moderate and regular, not irregular and exorbitant.

<sup>3</sup> Cp. esp. Pliny, *N.H.* 3. 17.

evidence of St. Luke and of the late ecclesiastical writer Orosius<sup>1</sup>. But for such a census in individual provinces there is evidence in abundance. The imperial provinces in particular needed an entirely new organization and this need was supplied by Augustus. He himself held the census in the three Gauls in 27 B.C.<sup>2</sup>, and it was repeated by Drusus (12 B.C.<sup>3</sup>), and by Germanicus (14—16 A.D.<sup>4</sup>). The establishment of every new province seems likewise to commence with a census<sup>5</sup>. In all provinces the census was held by special imperial officials, though it might be entrusted, and in senatorial provinces down to the time of Hadrian was probably always entrusted, to the governors. We find:

(i) District officers (adiutor ad census, censor, or censitor<sup>6</sup>), who drew up or revised the lists in the single districts.

(ii) Provincial censors (legatus Aug. pro pr. censuum accipiendorum<sup>7</sup>), senators; later, equestrian officials, 'a cens. accip.', or 'proc. Aug. ad census<sup>8</sup>'. The lists, arranged under their supervision, would be deposited in the 'tabularium' of the capital of the province; the originals or copies of them would be forwarded to Rome. There was also probably a central

<sup>1</sup> St. Luke ii. ἐξῆλθε δόγμα παρὰ Καίσαρος Αύγουστου ἀπογράφεσθαι πᾶσαν τὴν οἰκουμένην, and Orosius, *Hist. adv. Pag.* vi. 22. 6; vii. 2. 16; for the whole subject cp. Marquardt, *R. StV.* ii. p. 211 ff.

<sup>2</sup> Dio, liii. 22. 5.

<sup>3</sup> Liv. *Epit.* 138 and 139.

<sup>4</sup> Tac. *Ann.* i. 31.

<sup>5</sup> Cp. for Cappadocia, Tac. *Ann.* vi. 41; for Britain, Dio, lxii. 3.

<sup>6</sup> C. xiv. 3955 'censitor civium Romanorum coloniae Victricensis quae est in Britannia Camaloduni'; cp. xii. 408, 1855.

<sup>7</sup> Cp. C. xiv. 3602 '[leg a]d cens(us) accip....'

<sup>8</sup> C. vi. 31863 'proc. Aug. ad cens[us] Gallorum, proc. Aug. ad cens. Brit[t].' C. ii. 4188.

officer in Rome, bearing the title 'a censibus,' who received and revised all lists and laid them before the Emperor<sup>1</sup>. The main aims of this census would be the determination of the population and registration of it in age-classes, for the purposes of levying troops and imposing taxes. It would include (i) a registration of property (*ἀπογραφή*) and (ii) a valuation. For fair taxation a methodical measurement of land was necessary: a 'forma' would be taken, engraved on copper and deposited in Rome and in the province; in each case it would be accompanied by a written explanation (*scriptura formae*<sup>2</sup>).

This would supply a fair basis for the main provincial impost, the land-tax (*tributum soli*). But there was also an 'annona,' i.e. a supply of natural products, such as corn and wine, no inconsiderable part of the burden in provinces like Egypt and Africa. The land-tax fell mainly on the 'possessores': but the 'negotatores' too must share the burden in the form of a personal tax, either on property of all kinds or on the profits of business. In Marquardt's opinion, the literal '*tributum capitis*' or poll-tax was paid only by the lowest classes, who had no trade or property worth taxing<sup>3</sup>.

These new arrangements for taxation however seem at first to have affected the imperial provinces only.

<sup>1</sup> Cp. Hirschfeld, *K. VB.* p. 65 ff. Marquardt, *R. StV.* II. p. 217. But the fact is disputed by Mommsen, *R. StR.* III. 1. p. 490, note 2. A fuller discussion of the question will occur later.

<sup>2</sup> For further details cp. Marquardt, *R. StV.* II. p. 218 ff.

<sup>3</sup> For details again cp. Marquardt, *R. StV.* II. p. 231 ff. It is impossible here to do more than sketch the outlines of this difficult and somewhat obscure subject.

Gaius<sup>1</sup> the jurist tells us that the 'provincialia praedia' were in senatorial provinces 'stipendiaria,' in imperial, 'tributaria.' The difference is not defined, but Mommsen<sup>2</sup> is certainly right in taking it to mean that in the senatorial provinces the main tax was a 'stipendium,' a fixed sum, the payment of which would be distributed over the body of tax-payers, in the imperial a 'tributum,' a tax levied on each piece of land and fluctuating with its value. In course of time the latter system was extended to all provinces and a uniformity of taxation was finally achieved.

The substitution of the 'tributum' for the 'stipendium' threw on the Roman State the task of collection; how this task was faced by Augustus and his successors and how the system of direct collection of taxes came into force, we shall see below.

The direct provincial taxes naturally formed a main item of the revenues of the Empire. But the State also drew largely for support on the indirect taxes (vectigalia<sup>3</sup>), and, since considerable changes in the treatment of them were introduced by the Emperors, we must not omit them in our survey of Augustus' financial reforms. Indirect taxes were not unknown under the Republic, but the extensive use of them as a source of revenue may almost be said to commence with the Empire. The 'centesima rerum venalium'<sup>4</sup> was

<sup>1</sup> Gaius, II. 21 '...stipendiaria sunt ea, quae in his provinciis sunt, quae propriae populi Romani esse intelliguntur; tributaria sunt ea, quae in his provinciis sunt, quae propriae Caesaris esse creduntur.'

<sup>2</sup> Mommsen, *R. StR.* II. 2. 1093 ff. Cp. Marquardt, *R. StV.* II. 184 note 5, who leaves the distinction unexplained.

<sup>3</sup> The term 'vectigal' is a wide one, and includes the revenues, e.g., from public land, as well as indirect taxes proper.

<sup>4</sup> Cp. Cagnat, *Imp. Ind.* p. 228 ff.

introduced by Augustus 'after the civil wars'<sup>1</sup>, to contribute to the support of the 'aerarium militare.' Tiberius, on the incorporation of Cappadocia in the Empire in 17 A.D.<sup>2</sup>, reduced it by a half, but restored it to its former scale in 31 A.D.<sup>3</sup>. Caligula remitted it, after it had once again been reduced by a half either by him or by Tiberius, but of this second reduction Dio knows nothing<sup>4</sup>. After Caligula's time it must have been reintroduced, for Ulpian speaks of the 'vectigal venarium rerum' as one of the best known indirect taxes.

The 'vicesima quinta venarium mancipiorum,' which was really only a raised form of the 'centesima rerum venarium,' applied to the sale of slaves, was introduced by Augustus in 7 A.D. to cover the expenses of the corps of 'vigiles' in Rome<sup>5</sup>. It was remitted by Nero in 57 A.D., or, more strictly, the payment was transferred from the buyer to the seller, so that the relief was really illusory<sup>6</sup>. Cagnat gives good reason for believing that the revenues passed into the 'aerarium Saturni,' not into the 'aerarium militare,' as some scholars have supposed.

The 'vicesima hereditatium' was introduced by

<sup>1</sup> Tac. *Ann.* i. 78; he dates it 'after the civil wars.'

<sup>2</sup> *Ibid.* ii. 42. He had refused before a demand for its reduction; cp. Tac. quoted above, 'centesimam rerum venarium...deprecante populo edixit Tiberius militare aerarium eo subsidio niti.'

<sup>3</sup> Dio, LXXX. 16. 2.

<sup>4</sup> Suet. *Calig.* 16 'ducentesimam auctionum Italiae remisit,' and coins of 39 and 40, 'remissa cc' (Eckhel, *Doctr. Numm. Vet.* vi. 224). But cp. Dio, LIX. 9. 6 τὸ τέλος τῆς ἐκαοστῆς κατέλυσε.

<sup>5</sup> Dio, LV. 31. 4; read πεντεικοστῆς for πεντηκοστῆς. Cp. C. vi. 915 'publici xxv venal[ium]' (date 43-44 A.D.).

<sup>6</sup> Tac. *Ann.* XIII. 31.

Augustus in 6 A.D. to form the main support of the 'aerarium militare<sup>1</sup>.' It was a tax of 5 per cent. on inheritances and legacies, but only affected Roman citizens. An unsuccessful attempt to introduce it had already been made in 40 B.C.<sup>2</sup>, and now again Augustus met with the most heated opposition, which he only quelled at last by threatening to substitute for it a 'tributum' to be paid by Roman citizens<sup>3</sup>. The cautious way in which Augustus introduced the scheme, claiming to have found it among Caesar's papers, shows how strongly popular opinion condemned it and how dependent even the Emperor must be on public opinion in such a case. From the very start two classes of people were exempted from payment, (a) very near relations, (b) the very poor<sup>4</sup>. Additional relief along the same lines was granted by Nerva and Trajan<sup>5</sup>. The immense importance of this tax is chiefly to be explained by the prevalence of celibacy and the resulting practice of leaving money to strangers; even those who had children seldom left them more than a portion of their inheritance. It has even been calculated that this impost was equivalent to a tax of  $2\frac{1}{2}$  to 3 per cent. on the property of all Roman citizens.

The 'vicesima manumissionum' or 'libertatis' goes back far into the time of the Republic<sup>6</sup>. It continued unaltered in the Empire. It was probably paid by the

<sup>1</sup> Dio, LV. 25. Cp. *Res Gestae Divi Augusti*, 3. 35-9.

<sup>2</sup> Appian, *B. C.* v. 67. Cp. Dio, LV. 25 (who states, probably incorrectly, that it had been actually introduced before).

<sup>3</sup> Dio, LVI. 28. 4. He had to repeat the threat.

<sup>4</sup> *Ibid.* LV. 25. 5 πλὴν τῶν πάνυ συγγενῶν η̄ καὶ πενήτων.

<sup>5</sup> Pliny, *Paneg.* 37 and 38.

<sup>6</sup> Cagnat, *Imp. Ind.* p. 153 ff.

slave, when he purchased his liberty, by the master, when he freely bestowed it.

One class of indirect taxes<sup>1</sup> still remains to be considered, in some respects the most important class of all, the customs-duties (portoria). They already existed for the most part under the Republic, and the main reforms of the Empire lay in the sphere of collection. In this respect the Empire never formed a united whole, but was divided into a number of large customs-districts, within which the scale of the tax varied considerably<sup>2</sup>. The great district of Illyricum, including the two Pannonias, Dalmatia, Raetia, Noricum, the two Moesias, and later also Dacia, was entirely a creation of the Empire. The 'portoria' of the imperial provinces passed into the 'fiscus,' those of the senatorial probably into the 'aerarium Saturni'; but, as the distinction between the two chests disappeared, the 'fiscus' claimed them all<sup>3</sup>.

The burden of the 'vectigalia' was a heavy one, and frequent complaints were raised against it. Nero was so far influenced by them, that he actually proposed to abolish all 'vectigalia' at one stroke<sup>4</sup>. Wiser counsels

<sup>1</sup> Indirect taxes of minor importance, such as those introduced by Caligula and Vespasian, need not concern us here.

<sup>2</sup> E.g. 5% in Sicily, 2½% in Gaul ('quadragesima Galliarum'). The scale of the 'vectigal Illyricum' and of the 'quattuor publica Africae' is not certainly known. For details cp. Rostowzew in *Philologus*, Supplement-band ix.

<sup>3</sup> Cp. Ulpian, *Dig. l.* 16. 17, S. 1 'publica vectigalia intelligere debeimus, ex quibus vectigal fiscus capit, quale est vectigal portus aut venalium rerum.'

<sup>4</sup> Tac. *Ann. xiii.* 50 and 51, esp. 50 beg. 'eodem anno crebris populi flagitationibus, inmodestiam publicanorum arguentis, dubitavit Nero, an cuncta vectigalia omitti iuberet idque pulcherrimum donum generi mortalium daret.'

however prevailed, and he contented himself with some useful but not very sweeping reforms. The tariff of each tax was now to be published, a special hearing was assigned for complaints against 'publicani' both in Rome and the provinces, and certain specific illegal exactions were abolished<sup>1</sup>. But the burden, though heavy, did not rest only on the provincials; it was shared by Roman citizens, and, in some cases, e.g., the 'xx hereditatium,' was borne exclusively by them. In this indirect taxation we see the first beginnings of the process which was to place Italy on a level with the provinces and compel her to bear her share of the burden of taxation. In Augustus' time, public opinion would have made it impossible to tax citizens directly; indirect taxation supplied him with the means of making them too contribute to the needs of the State, while formally respecting the feeling, which regarded direct taxation as humiliating and degrading.

Another important source of revenue lay in the State domains—cultivated land, pasture-land and mines<sup>2</sup>. During the Republic large tracts of land had fallen to the Roman State, either by inheritance from former kings or by confiscation from conquered communities. In cases where the land was already occupied, all that had to be done was to arrange with the holders the terms of their tenure. The censors at Rome would then farm out the collection of the sums due. Where however the land was lying idle, it was necessary to find a private individual, who would undertake the task of exploiting the estate and himself find small holders for

<sup>1</sup> Tac. *loc. cit.* 51.

<sup>2</sup> For details see Marquardt, *R. StV.* II. p. 246 ff.

it. Under the Empire, one can trace the gradual growth of imperial domains by the side of the 'ager publicus,' which extended over the whole Empire and in some provinces reached an enormous size. Of these domains part belonged to the 'fiscus,' the Emperor's State chest, part to the crown-property or 'patrimonium'<sup>1</sup>. The former class consisted mainly of lands, formerly belonging to the Roman State, in the imperial provinces, the latter of properties that had fallen to the Emperor by inheritance. It is impossible here to treat so wide a subject in any detail<sup>2</sup>, especially as it will demand further discussion later, and we must pass on to the next point.

Such were the main revenues of the Empire, as reorganized by Augustus<sup>3</sup>. The main items of expenditure were the maintenance of the army, the expenses

<sup>1</sup> For a discussion of these terms see below.

<sup>2</sup> Cp. here Hirschfeld's excellent articles in *Klio*, II. pp. 45—70 and 284—315.

<sup>3</sup> Cp. Statius' picturesque but naturally incomplete list, *Silvae*, III. 3. l. 86 ff.:

. . . . . iam creditur uni  
sanctarum digestus opum partaeque per omnes  
divitiae populos magnique impendia mundi.  
quicquid ab auriferis electat Hiberia fossis,  
Dalmatico quod monte nitet, quod messibus Afris  
verritur, aestiferi quicquid terit area Nili,  
quodque legit mersus pelagi scrutator Eoi,  
et Lacedaemonii pecuaria culta Galaesi  
perspicuaque nives Massylaque robora et Indi  
dentis honos: uni parent commissa ministro  
quae Boreas, quaeque Eurus atrox, quae nubilus Auster  
invehit . . . . .

Statius is here sketching the duties of the chief officer of the 'fiscus,' the 'a rationibus.' N.B. Only fiscal revenues are enumerated here.

of provincial government, the salaries of officials, the corn-supply and police of Rome, the maintenance of religion, the building of temples and other public works, and the public roads and aqueducts<sup>1</sup>. Augustus turned his attention to this side of the balance-sheet too, and in 6 A.D. had a commission of three consulars appointed to cut down expenditure<sup>2</sup>.

It remains to discuss the central administration—the old State treasury (*aerarium Saturni*), the new imperial treasury (*fiscus*), the special military chest founded by Augustus (*aerarium militare*), and finally the Emperor's purse (*patrimonium*) and the later developed '*res privata*,' his purely private estate. It is essential to bear in mind throughout that the Emperor's influence was paramount over all finance whether formally acknowledged or not: here too, as in other branches of the State, a certain sphere of activity was reserved to the Senate; but here as elsewhere that body could be pushed on one side, whenever the Emperor chose to exercise his power.

It was clear from the time when Augustus took over the imperial provinces into his own charge that the '*aerarium Saturni*' could not remain the sole State treasury. A portion of the public revenues had now

<sup>1</sup> Cp. again Statius, *Silvae*, III. 3. 98 ff. (still of the 'a rationibus'):—

. . . . . vigil idem animique sagacis  
et citus evolvit, quantum Romana sub omni  
pila die quantumque tribus, quid templa, quid alti  
undarum cursus, quid propugnacula poseant  
aequoris aut longe series porrecta viarum;  
quod domini celsis niteat laquearibus aurum,  
quae divum in vultus igni formanda liquescat  
massa, quid Ausoniae scriptum crepet igne Monetae.'

<sup>2</sup> Cp. Dio, LV. 25. 6.

been definitely assigned to the Emperor, and a central chest to receive them was bound sooner or later to be created. Mommsen traces the origin of the 'fiscus' back to Augustus himself, on the ground that without some central chest no orderly administration of finance could have been possible. Hirschfeld, on the other hand, points out that it is not till the reign of Claudius that we can prove a decisive use of the word 'fiscus,' and that not before then do we find the 'a rationibus' as an important imperial official<sup>1</sup>. Augustus himself in the *Res Gestae* speaks only of the 'aerarium Saturni' and the 'aerarium militare,' of the 'manubiae,' of 'patrimonium meum' or 'pecunia mea.' Where the word 'fiscus' is used for the early Empire, it is usually in the plural<sup>2</sup>, and we can deduce no more than the existence of a number of minor chests. Tacitus and Josephus speak of the 'fiscus' in the reigns of Tiberius and Gaius respectively, but the first decisive use of the word is found in the contemporary writer Seneca, who uses 'fiscus' as the natural designation of the imperial treasury<sup>3</sup>. From this time onwards the meaning remains fairly fixed. Following Hirschfeld therefore in the main, we may suppose that under the first Emperors all imperial revenues were jointly administered. The Emperor was his own Chancellor of the Exchequer, and was assisted only by slaves and freedmen. But when, after the irresponsible reign of Gaius, a weak Emperor in the person of Claudius came to the throne, it was an

<sup>1</sup> Cp. Mommsen, *R. StR.* II. 2. p. 998 ff. Hirschfeld, *K. VB.* p. 1 ff.

<sup>2</sup> Suet. *Aug.* 101 'quantum pecuniae in aerario et fiscis.' Cp. Josephus, *De B. J.* II. 7. 3.

<sup>3</sup> Seneca, *De Benef.* IV. 39 and VII. 6.

easy task for an able freedmen of the type of Pallas to convert his humble office into a position of vast importance. The 'a rationibus' now becomes one of the most important officials in the state ; he controls the finances of the 'fiscus' throughout the Empire, and may not unfairly be styled the imperial Chancellor of the Exchequer. The imperial revenues, hitherto grouped all together under the general name of 'res' or 'res familiares'<sup>1</sup> of the Emperor, were now divided into two sections, the 'fiscus' and the 'patrimonium.' By the side of the 'a rationibus' now appears a 'procurator patrimonii.' This meant, roughly speaking, a separate administration for the public and the private income of the Emperor, but, since, as we shall see, the distinction between public and private in this connection was rather a practical than a legal one, it is quite easy to understand why they were at first administered together. It must not be forgotten however, that the bureau 'a rationibus' was engaged with the central administration, not with the central chest. This is seen from the fact that among the subordinate officials no 'dispensatores' have been found—a class of official that is never wanting where an actual chest is in question. Kniep however goes much too far in denying the existence of such a central treasury altogether<sup>2</sup>. The evidence he adduces is purely negative, and, quite apart from some positive indications in the other direction, it would be impossible to conceive of a central administration without it.

<sup>1</sup> See, especially, *Tac. Ann.* iv. 6 'Res suas Caesar spectatissimo cuique...mandabat.'

<sup>2</sup> Kniep, *Soc. Publ.* p. 169.

The exact relation of the Emperor to the 'fiscus' is not easy to define, as is strikingly shown by the divergence of opinion on the point among scholars. I have thought it best to reserve the full discussion of the question for a note at the end of the chapter, and simply to state here the general conclusion to which I come. From the strictly legal point of view the 'fiscus' was the property of the Emperor. He was a magistrate, and, as such, had the free right of disposition over the revenues placed at his disposal for public purposes. Here, as in the case of the general with the 'manubiae,' the Emperor had a formal right of private possession. Holding office for life, he could not be called to account for his employment of these monies, and hence the obligation to employ them for public purposes was in his case rather a moral than a legal one. There was no power to constrain his actions. Hirschfeld points out with justice, that, for the Emperor to designate a person his heir, was practically equivalent to appointing him his successor<sup>1</sup>: the reason of course is, that otherwise there was nothing to prevent objections being raised: only an Emperor could hold the fiscal revenues against all question. The 'fiscus' may therefore be regarded with Karlowa as 'Magistrats-gut'<sup>2</sup>, but we must remember that this term really denotes a restricted form of private ownership. It lay in the nature of the case, that plenty of room should be left to the individual Emperor to put his own interpretation on his rights and duties in the matter. A

<sup>1</sup> Suet. *Gaius*, 24 'Drusillam...heredem bonorum atque imperii aeger instituit.'

<sup>2</sup> Karlowa, *R. RG.* 1. p. 504 ff.

constitutional Emperor would emphasize his obligations to the State and would even go so far as to declare fiscal monies State property: a despotic ruler would employ all funds at his disposal for private purposes, to the detriment of the public interests. In course of time, it is true, the public character of the 'fiscus' came more and more to be realized, and, as the 'aerarium Saturni' declined in importance, the 'fiscus' came to be regarded as the State treasury. But this change only began under Claudius, when the 'a rationibus' first became an important State official; the seal was set on this development when Hadrian transferred the office to knights. This is not however equivalent to saying that the Emperors became more and more constitutional in course of time: the reverse rather is the case. But the increasing autocracy of the Empire found its expression in the development not of the 'fiscus,' but of the 'res privata'<sup>1</sup>.

The main revenues of the 'fiscus' were drawn from the imperial provinces; but it is certain that it had its claims on the senatorial provinces as well. We have proof positive for Asia and Africa<sup>2</sup>, and there is no reason why we should limit it to these two provinces. As the Emperor undertook more and more of the State burdens, he naturally received simultaneously the revenues by which they were defrayed, until at last all the public funds flowed into the 'fiscus.' The main

<sup>1</sup> See below.

<sup>2</sup> Hirschfeld, *K. VB.* p. 70 ff.; *Tac. Ann. II. 47* '(Sardianis) quantum *aerario* aut *fisco* pendebant, in quinquennium remisit.' Cp. Philostratus, *V. S.* II. 1. 3, p. 235. Cp. the special 'fiscus Asiaticus,' and Hirschfeld, *K. VB.* p. 59 and note 1. *C. viii.* 12314 and 12884 'adiut. tabul. trib. p(ublici).'

burdens which the Emperor at first undertook consisted of the support of the armies and fleets and the administrative expenses of the imperial provinces. The cost of providing for veterans was afterwards met by the special military chest, the 'aerarium militare.' The expenses of the 'cura vigilum,' undertaken by Augustus in 6 A.D., were defrayed by the 'vicesima quinta venalium mancipiorum,' those of the 'cura annonae' by corn-supplies, notably from the province of Africa. A very valuable description of the revenues and burdens of the 'fiscus' is given by Statius, in the passage quoted above<sup>1</sup>, occurring in a consolatory epistle, addressed to Claudius Etruscus, son of the 'a rationibus' of Domitian. This list was naturally not intended to be exhaustive, but is inclusive enough to give us a good idea of the immense scope of the imperial treasury.

The 'aerarium Saturni,' the sole treasury of the Republic, was left by Augustus under the control of the Senate, in contrast to Caesar who had assumed the right of free disposal of all State finances. Virtually, however, it was almost as much under imperial control as the 'fiscus' itself. The Emperor assumed the right to appoint its overseers, and in general exercised a wide supervision over its administration<sup>2</sup>. In theory the Senate long continued to exercise its right of control, but it was a right recognized only by the more constitutional Emperors, and, probably by about the time of Septimius Severus, the 'aerarium' was little more than

<sup>1</sup> Statius, *Silvae*, III. 3. 86 ff.

<sup>2</sup> Cp. Pliny, *Paneg.* 36, esp. 'at fortasse non eadem severitate fiscum qua aerarium cohibus; immo tanto maiore, quanto plus tibi licere de tuo quam de publico credis' (it is clear that a certain distinction was still observed).

the city chest of Rome<sup>1</sup>. When we read of measures concerning it taken by the Emperor<sup>2</sup>, we should probably assume that they were nominally taken by the Senate, virtually by the Emperor controlling the Senate's action. Several changes of administration took place in the early Empire. Under the Republic it had been under the supervision of the urban quaestors. Augustus had substituted for them 'praefecti,' to be chosen by the Senate, but after a time, to prevent abuses, they were chosen by lot from the praetors. Claudius, with his wonted pedantry, gave the office once more to quaestors, but Nero finally, feeling the need for men of more experience in this post, entrusted the duty to tried ex-praetors<sup>3</sup>. Mommsen (*R. StR.* II. 2. p. 1012) suggests, that with this last reform the 'aerarium' came entirely under the Emperor's control; but Hirschfeld (*K. VB.* p. 13 ff.) argues with probability that this change cannot have taken place so early. The Emperor Marcus Aurelius in 179 A.D., in asking for a grant from the State chest for his wars<sup>4</sup>, acknowledged that it belonged to the Senate and people. The 'aerarium' had been left bankrupt by the civil wars and, with its decreased revenues, it never

<sup>1</sup> Cp. Dio, LIII. 16. 1 λόγῳ μὲν γὰρ τὰ δημόσια ἀπὸ τῶν ἑκίνου ἀπεκέκριτο, ἔργῳ δὲ καὶ ταῦτα πρὸς τὴν γνώμην αὐτοῦ ἀνηλίσκετο.

<sup>2</sup> Dio, LXIX. 8. 12 remission (118 A.D.) of debts due to the 'fiscus' and 'aerarium'; the correct proceeding was that of Augustus in 12 B.C., who, in remitting the tribute of one year to Asia, paid the money out of his own purse into the 'aerarium.' Cp. Suet. *Dom.* 9 (we do not know if Domitian took the same course as Augustus).

<sup>3</sup> Tac. *Ann.* XIII. 28 and 29.

<sup>4</sup> Dio, LXXII. 33. 2, but Dio reports this as a piece of quixotic conduct.

flourished again. The Emperors, it is true, often made loans or presents to it<sup>1</sup>, but, on the other hand, there was a growing tendency to divert revenue from the 'aerarium' to the 'fiscus,'—a process which ended in the complete triumph of the latter. The main burdens of the State treasury were at first the maintenance of religion, the civil administration of Rome and Italy, the expenses of the public provinces, the 'annona urbis'; its main revenues flowed from its provinces, from public land, and such sources as the 'bona caduca,' 'bona vacantia,' and 'bona damnatorum'<sup>2</sup>. It is impossible to trace in detail the gradual transference of these revenues to the 'fiscus,' but the fact remains that all, even down to the revenues of the senatorial provinces, were at last lost to it. Of definite payments out of the 'aerarium' to the Emperor we hear little, but Orosius reports a yearly contribution of 10,000,000 HS made by the Senate to Nero<sup>3</sup>, and, although the evidence is not strong, there is no reason to question the fact.

The 'aerarium militare,' founded by Augustus in 6 A.D. to provide for the pensioning off of veterans<sup>4</sup>, depended for support partly on imperial donations<sup>5</sup> and special assignments of revenue, partly on the yield of

<sup>1</sup> Dio, liii. 2. 1 (Augustus) ἐπειδὴ χρημάτων τῷ δημοσίῳ ἐδέησεν, ἔσανεστό τινα καὶ ἔδωκεν αὐτῷ. Cp. Tac. *Ann.* xv. 18 'se (i.e. Nero) annum sexcentiens sestertium rei p. largiri.' *Res Gestae D. Aug.* 3. 1. 34 ff.

<sup>2</sup> For 'bona damnatorum' cp. Tac. *Ann.* vi. 2 (Sejanus), vi. 19 (Sex. Marius).

<sup>3</sup> Orosius, *Hist. adv.* *Pag.* vii. 7. 8.

<sup>4</sup> Dio, lv. 25. 2; Suet. *Aug.* 49 'utque perpetuo ac sine difficultate sumptus ad tuendos eos persequendosque suppeteret, aerarium militare cum vectigalibus novis constituit.'

<sup>5</sup> *Res Gestae D. Aug.* c. 17 'et M. Lep[i]do et L. Ar[r]unt[i]o co[, i[n] aerarium militare, quod ex consilio m[ea]co co[nstitut]um est, ex [q]uo præmia darentur militibus, qui vicena [aut plu]ra sti[pendi]a

the 'vicesima hereditarium' and the 'centesima rerum venalium'<sup>1</sup>. The administration was entrusted by Augustus to three ex-praetors, chosen by lot, who held office for three years; in Dio's time they were nominated by the Emperor. The creation of this chest was an important new departure. Up to that date the State treasury had had no rival; now there arose by its side a chest serving definite purposes of the Emperor and standing largely under his direction. But Augustus seems to have taken great care not to offend public opinion by emphasizing its character as a rival to the 'aerarium Saturni.'

Apart from these chests, there remains the 'patrimonium' or crown property of the Emperor. We have already tried to prove above that the distinction between it and the 'fiscus' was at first a vague one, and was only clearly defined when the 'fiscus' assumed definite shape and form under Claudius. For the later history of the 'patrimonium' it will suffice to refer for all details to Hirschfeld's excellent description<sup>2</sup>. The imperial property was continually being swelled by inheritance, purchase, and confiscation, and, in the course of the first century, assumed vast dimensions<sup>3</sup>. Augustus himself received vast sums by way of inheritance<sup>4</sup>, and a large number of imperial possessions came to him in this way. We may instance the Thracian Chersonese, which was bequeathed to him by Agrippa,

emeruissent, HS milliens et septing[e]nti[ens ex pa]t[rim]onio [m]eo detuli.' Cp. Dio, LV. 24.

<sup>1</sup> Tac. *Ann.* I. 78 'centesimam rerum venalium...deprecante populo edixit Tiberius militare aerarium eo subsidio niti.'

<sup>2</sup> Hirschfeld, *K. VB.* p. 18 ff.

<sup>3</sup> Cp. Hirschfeld's article in *Klio*, II. pp. 45-70, and 284-315.

<sup>4</sup> Suet. *Aug.* 66 and 101.

and the splendid villa of Vedius Pollio (Pausilypus, 'Sans-Souci')<sup>1</sup>. For a full treatment of this interesting subject we must refer to the article quoted above. It was probably under Claudius that the 'patrimonium' first became a separate branch of the financial administration under special imperial procurators<sup>2</sup>. So long as the Julio-Claudian dynasty held the throne, the 'patrimonium' was regarded as the family property of the reigning house. But when that dynasty came to an end and changes in the succession became frequent, there gradually arose a distinction between this crown property and the Emperor's purely personal property or 'patrimonium privatum.' Thanks to this distinction the Emperor could ensure the enjoyment of his own fortune to those of his children who were not qualified to succeed him<sup>3</sup>. Septimius Severus went one step further; he definitely divided this 'patrimonium privatum' from the 'patrimonium' itself, under the title of 'res privata'<sup>4</sup>, and organized a special administration for it. From this time onwards the 'patrimonium' declined in importance, while the 'res privata' correspondingly gained, until finally its head procurator, as a 'trecentarius' or recipient of a salary of 300,000 HS<sup>5</sup>, stood on the same level as the chief of the 'fiscus'<sup>6</sup>.

<sup>1</sup> Cp. Pliny, *N. H.* 9. 167.

<sup>2</sup> Cp. the earliest inscription that can be approximately dated, *C. vi. 8501* 'Ti. Claudius Marcellinus [proc. A]ug. a patrimonio.'

<sup>3</sup> Cp. *Life of Pius*, 7. 9 'patrimonium privatum in filiam contulit, sed fructus rei publicae donavit.' Dio, *lxxix. 7* (Pertinax) πάντα τὰ ἵπάρχοντα αὐτῷ πρότερον ἐν τῷ πρώτῳ εὐθὺς ἡμέρᾳ ἀποθέμενος ταῦτα τε τοῖς τέκνοις διένειμε....

<sup>4</sup> *Vita Severi*, 12. 4.

<sup>5</sup> Cp. *C. x. 6569*, inscription of S. Varius Marcellus, 'proc. ration. privat. ccc.'

<sup>6</sup> I have here followed Hirschfeld, whose account seems to me to

With this brief survey of the imperial reforms in finance as a basis, we can now proceed to consider the new class of officials, called into life by Augustus and his successors to serve them in their financial administration.

*Note on the relation of the Emperor to the 'fiscus.'*

The view given in the text is in the main that of Mommsen (*R. StR.* II. 2. p. 998 ff.). Schiller (*R. G.* I. 1. p. 162 ff.) follows Mommsen, and Karlowa (*R. RG.* I. 1. p. 504 ff.) does not differ from him to any great extent. Madvig (*V. V.* II. p. 405 ff.) does not help us much. This view however is strongly combated by Hirschfeld (*K. VB.* p. 5 ff.), who maintains that the 'fiscus' was in no sense the Emperor's private property, and that the Emperor acknowledged himself legally bound to give an account of his administration. I will first state the reasons that lead me to prefer Mommsen's view, and will then discuss a number of passages, which have been adduced in support of that of Hirschfeld. In favour of the view here adopted are

(1) The analogy of the general, who acquired a right of private ownership over the 'manubiae.'

(2) The historical development. Caesar had shown the unmistakable intention of treating the public revenues as his private property<sup>1</sup>. Augustus, while showing more respect for tradition, seems to have followed him to the extent of drawing no clear line of demarcation between his income arising from public and private sources. In his *Res Gestae* he

be perfectly logical and clear. Karlowa, *R. RG.* I. p. 505 ff., differs from him about terminology, defining the 'res privata' as the inalienable crown property, the 'patrimonium' as the private property of the Emperor. But Hirschfeld's reply (*K. VB.* p. 21 ff.) seems to me quite decisive.

<sup>1</sup> Appian, *B. C.* III. 20 and 21.

mentions no other sources for his liberalities than the 'manubiae' and his own 'patrimonium': and in the early Empire all imperial revenues are spoken of as the 'res' or 'res familiares' of the Emperor. (Cp. above, p. 15, note 1.)

(3) The exclusion of quaestors from the imperial provinces, and the entrusting of the finances to procurators of equestrian rank, and, at first, even of the freedman class. The fact that the 'a rationibus' down to Hadrian's time was normally a freedman points in the same direction.

(4) A passage from Seneca, *De Benef.* vii. 6. He writes 'Caesar omnia habet, fiscus eius privata tantum ac sua, et universa in imperio eius sunt, in patrimonio propria.' The contrast here is between 'fiscus' (which here certainly includes 'patrimonium') on the one hand and the whole revenue of the Empire on the other; everything belongs to the Emperor, his 'fiscus' is his property in a special sense. Though we may suspect Seneca of some flattering exaggeration, there is no reason for limiting the application of this passage to the unconstitutional government of Nero.

So much for positive evidence. I will now attempt to deal with Hirschfeld's arguments on the other side. I will summarize the more important, dealing with each in turn.

(1) Augustus showed his sense of obligation by publishing the 'rationes imperii,' and this practice, though intermittent by Tiberius, was revived by Gaius<sup>1</sup>. Moreover Augustus, by leaving his 'breviarium totius imperii' to be read in public after his death, showed that he regarded it as a matter of public import. Suetonius, *Augustus*, 101, tells us that this document gave a general statement of finance, and that the names of freedmen and slaves were appended, who might be called to give account.

<sup>1</sup> Suct. *Gaius*, 16.

But Augustus, by publishing a species of budget, showed his sense of a moral, not of a legal, obligation. The fact that Tiberius discontinued the practice goes to prove this. The statement made after his death was certainly intended for the benefit of his successor: with imperial slaves and freedmen the state had nothing to do.

(2) Tacitus, *Ann.* xiii. 14, describing the retirement of Pallas from the office of 'a rationibus' writes: 'sane pepigerat Pallas, ne cuius facti in praeteritum interro-garetur, paresque rationes cum re publica haberet.' Hirschfeld quotes this as a decisive proof, that the 'fiscus' was a public, not a private, chest.

But the facts do not bear out this conclusion. Pallas, as 'a rationibus,' had administered the public revenues for his master with almost as much freedom as Augustus or Tiberius themselves. Hence, on his retirement, the State could challenge him to give account as representative of the Emperor: just as the Emperor himself might certainly have been called to give account had he ever retired. It was precisely the fact, that the Principate was, in fact at least, a life-office, that made the 'fiscus' the private property of the Emperor.

(3) Herodian, II. 47, tells us, that Pertinax  $\tauοις...$  *βασιλικοῖς κτήμασιν ἐκάλυσεν αὐτοῦ τοῦνομα ἐπιγράφεσθαι, εἰπὼν αὐτὰ οὐκ ἴδια τοῦ βασιλεύοντος εἶναι, ἀλλὰ κοινὰ καὶ δημόσια τῆς Ρωμαίων ἀρχῆς.* Hirschfeld takes this to mean, that Pertinax was abolishing an abuse introduced by Commodus.

But it is more naturally understood of a change, introduced by a would-be constitutional Emperor out of regard for the Senate.

(4) Ulpian, *Digg.* 43. 8. 24, speaks of 'res fiscales' as 'quasi propriae et privatae principis.' If, argues Hirschfeld, at that stage of advanced autocracy the fiscal monies were still felt to be in some sense State property, how much more must this have been the case in the early Empire?

This argument seems to me to rest on a strange misunderstanding of the course of development. The 'fiseus,' at first not distinguished in any way from the Emperor's private property, gradually became 'de facto' the State chest, ousting the 'aerarium Saturni.' This fact naturally influenced theory, and led lawyers to define the Emperor's ownership of it as being only in a sense private.

Here I must leave the discussion, having already devoted perhaps too much space to it. I hope this may be forgiven me however in view of the importance of the question for the subject of my essay and of the great skill and pertinacity, with which Hirschfeld in his second edition has sought to support his case. I trust I have at least succeeded in making clear the point at issue.

## CHAPTER I

### THE ORIGIN, GROWTH AND DEVELOPMENT OF THE IMPERIAL CIVIL SERVICE

IN the introduction an attempt has been made to sketch the forms of the imperial administration of finance, and, in so doing, to pave the way for the discussion of the new financial officers who assisted the Emperor in his vast task of government. The incomplete nature of the evidence, literary and epigraphical, forbids us to draw a full picture of the new system in its early stages; but it should at least be possible to point out the main lines along which it developed.

The need for a new financial administration was self-evident immediately after the division of the provinces between Emperor and Senate in 27 B.C. The old system of *quaestors* might be continued in the senatorial provinces; but in the imperial, the financial officer must be no magistrate, but a deputy, dependent on the Emperor and on him alone. Caesar had already been faced with a similar problem. We have no definite statement of his intentions in the matter, but a number of indications suggest what line he meant to take. He received full powers of control over the whole of the State finances; they were placed unreservedly in his hands and in those of his deputies<sup>1</sup>.

<sup>1</sup> Dio, XLIII. 45. 2.

How he used his power, we have already seen above. He treated the State revenues as his private property, and, at his death, left a full purse and an empty treasury<sup>1</sup>. Suetonius tells us that he placed private slaves in charge of the mint and the public 'vectigalia,' and this evidence, taken in connection with his general policy, strongly suggests that he meant to apply the same treatment in other branches of finance as well<sup>2</sup>. Had he lived to carry out his intentions, he would almost certainly have established a uniform system of administration over the whole Empire: a division of functions with the Senate, such as Augustus carried out, was quite alien to his ideas. His plans however were interrupted by his violent death, and the solution of this problem, as of so many others, was left to his successor. Augustus, like all wealthy Romans, employed procurators, agents of the freedman class, in the administration of his private fortune. These men were purely private officials and only differed from those of other Roman nobles in the additional *éclat* which their master's position gave them. When a number of the provinces came under his direct care, he created no new class of official for the management of finance, but simply applied to the sphere of his public action the system which he already employed for his private. Whilst in the senatorial provinces we still find *quaestors*, working under the supervision of the proconsuls, in the imperial there appear procurators of the Emperor, subordinate to, yet not directly dependent on, the legates. If it be true, as has been suggested above, that at first no clear distinction was made between the

<sup>1</sup> Appian, *B. C.* iii. 20 and 21.

<sup>2</sup> Suet. *D. Jul.* 76.

imperial 'fiscus' and 'patrimonium,' the Emperor's public and the Emperor's private purse, it need not surprise us to find freedmen as procurators, not only in household, but also in provincial posts. But, with the growing distinction between the two imperial purses, the distinction between these two classes of posts came to be more and more clearly defined. The procuratorships of provinces were posts of high trust and importance, and Augustus must have seen that they could not well be entrusted to freedmen<sup>1</sup>. He therefore limited the latter to the subordinate positions, and entrusted the head posts to men of equestrian rank, whose superior position was reflected in the title of 'procurator Augusti,' in contrast to the purely private 'procurator'<sup>2</sup>. The fact of this change is certain, but some details of its institution remain obscure. The literary evidence is scanty<sup>3</sup>, and the inscriptions, while supplying us with much valuable information, cannot give the consecutive account that a contemporary author might have done. We have lost the architect's plan of the building, and must be content with the attempt to reconstruct it out of the scattered *débris* that survive.

The speech of Maecenas in Dio's fifty-second Book,

<sup>1</sup> Cp. Dio, LII. 8. 6 ff., speech of Agrippa, *ἀν δὲ δὴ τούτοις μὲν* (i.e. men of distinction) *μηδὲν ἐπιτρέπεις τοῖς δὲ δὴ φαύλοις καὶ τοῖς τυχοῦσι τὰ πράγματα προστάσσεις, τάχιστα μὲν ἀν δργῆν παρὰ ἐκείνων ὡς ἀπιστονμένων λάβοις κ.τ.λ.* The remark is general, but applies particularly well here.

<sup>2</sup> Cp. Hirschfeld, *K. VB.* p. 411, note 3; he observes with justice that this distinction is not invariably observed. Cp. Mommsen, *R. StR.* III. 1. p. 558 and note 2.

<sup>3</sup> Dio in Books LII. and LIII. is the most helpful.

together with the historian's short sketch of imperial finance in Book LIII. 17, provides a valuable picture of the procuratorial system as a whole, but unfortunately cannot be taken to represent with any accuracy the measures taken by Augustus. We have here rather a sketch of the Civil Service as Dio himself knew it, with perhaps a few suggested improvements, which he wished to recommend to the Emperor Alexander Severus. Dio himself remarks at the close of Maecenas' speech, that Augustus, while following his advice in the main, deferred some of the proposed reforms and even left others to subsequent Emperors<sup>1</sup>. The scheme suggested by Maecenas is in its main outlines the following. The financial administration in Rome, Italy, and the provinces, is to be entrusted to knights, receiving salaries graded according to the importance of their posts<sup>2</sup>. One knight should be appointed for each department in Rome and one for each province; subordinates may be drawn partly from the knights, partly from the imperial freedmen. By this means the Emperor can reward his freedmen for good service and can exercise a stricter control, but he will do well not to entrust them with more important posts<sup>3</sup>. The main duty of the provincial procurators will be to collect the taxes during the period of their office<sup>4</sup>.

With this proposed scheme agrees the sketch in Book LIII. 15. From these two passages we obtain, it is true, a very good idea of the conditions of later times,

<sup>1</sup> Dio, LII. 41. 1.

<sup>2</sup> *Ibid.* 25. 1.

<sup>3</sup> *Ibid.* 25. 5; *cp.* 37. 5—6.

<sup>4</sup> *Ibid.* 28. 7, 8 καὶ σφων ἐκλογέας τοὺς ἐπιτροπεύσοντας ἐκασταχθεὶς ποιῆσαι, ὥστε αὐτὸν πᾶν τὸ τῷ τῆς ἐπιτροπείας αὐτῶν χρόνῳ προσῆκον ἐξ ἀπασῶν τῶν προσβῶν ἐσπράττειν.

but scarcely of the system in its infancy. There was undoubtedly a period of transition and experiment before it received its final shape, and we must not expect to find in the early stages the uniformity which appears, though not unbroken, in later times. The rule, for instance, that the main procuratorships should be reserved for knights, cannot be proved true for Augustus' early years. In fact, there is distinct evidence to the contrary. Licinus, first a slave and then a freedman of Caesar, and after him of Augustus, was appointed by the latter procurator of Gaul. He made himself loathed by his extortions, but saved himself from his master's wrath by paying over a large sum out of his ill-gotten gains<sup>1</sup>. As Suetonius informs us that, besides Licinus, Celadus and other freedmen were employed in high positions by Augustus<sup>2</sup>, the natural inference is that the case of Licinus was not an isolated one, but that Augustus did at one time employ freedmen in posts afterwards reserved for knights. But it is none the less certain that Augustus himself introduced the later custom. It is a point that hardly requires proof, but a few instances will help to illustrate it. P. Vitellius, grandfather of the later Emperor, was

<sup>1</sup> Dio, *Liv.* 21. 2 ff. Hirschfeld, *K. VB.* p. 377, note 7, questions whether he bore the title of procurator. But

(a) his only reason for doubt lies in the man's status as freedman;

(b) freedmen as procurators of provinces do occur even in later times;

(c) freedmen regularly filled subordinate posts in the provinces and bore the title of 'procurator.'

<sup>2</sup> Suet. *Aug.* 67 '...multos libertorum in honore et usu maximo habuit, ut Licinum et Celadum aliquosque.'

an 'eques Romanus et rerum Augusti procurator<sup>1</sup>.' The two grandfathers of Agricola, who as 'procuratores Caesarum' belonged to the equestrian nobility, must have served under Augustus or his successor<sup>2</sup>. Again, when we read of Tiberius entrusting his finances 'spectatissimo cuique,' we have to think mainly of knights; the 'quidam ignoti' of the passage may well have been knights, little known at Rome but enjoying high reputations in their own homes<sup>3</sup>. Inscriptions of procurators for this early period are rare, but we find a Vitrarius Pollio, procurator of Aquitania and Lugdunensis before 14 A.D.<sup>4</sup>, a man of unknown name procurator of Cyprus about the same date<sup>5</sup>, and finally a Q. Octavius Sagitta, 'procurator Caesaris Augusti in Vindalicis et Raetis et in valle Poenina per annos IIII et in Hispania provincia per annos x et in Suria biennum<sup>6</sup>.' That they were knights is proved by their service in equestrian posts in the army. Josephus speaks of procurators in Syria<sup>7</sup>, and in particular of a certain Sabinus, who interfered in Jerusalem on the death of Herod the Great<sup>8</sup> (4 B.C.), but we have no evidence as to his rank. Herod himself held very much the position of a Roman procurator<sup>9</sup>, and, on the deposal of his son Archelaus (6 A.D.), Roman procuratorial rule in Judaea commenced with the knight Coponius<sup>10</sup>. In

<sup>1</sup> Suet. *Vit.* 2.

<sup>2</sup> Tac. *Agric.* 4.

<sup>3</sup> Tac. *Ann.* iv. 6.

<sup>4</sup> C. x. 3871. ([Narbonensis], C. ?.)

<sup>5</sup> C. x. 7351.

<sup>6</sup> *L'Ann. Ep.* 1902, 189; his career must have started at least about 2 B.C.

<sup>7</sup> Joseph. *Ant. Jud.* 15. 10. 3 (360).

<sup>8</sup> *Ibid.* 17. 9. 3 (221 ff.).

<sup>9</sup> Joseph. *De B. J.* i. 10. 3 (199), 11. 4 (225).

<sup>10</sup> Joseph. *Ant. Jud.* 18. 1. 1 (2).

provinces like Noricum and Raetia, quite early in the Empire equestrian 'praefecti' appear, who only differ from the later procurators in the more distinctively military character of their posts. In Egypt, the most important in many ways of all the imperial provinces, rule by knights had already been instituted by Augustus<sup>1</sup>, and the post of 'praefectus Aegypti' already stood out at the head of the equestrian career. We need therefore have no hesitation in tracing the origin of the civil service back to Augustus<sup>2</sup>, remembering however that its forms were probably not as yet stereotyped and that there was still room for many important changes. These changes it is our next task to discuss, and, in order to preserve the natural connection, it will be best to follow the order of time<sup>3</sup>. The good government of Tiberius' early years extended to finance, and showed itself in a strict control of his subordinates and a tendency to allow them long terms of office. But equally true is it, that the deterioration of character, so marked in his later years, was felt here as well. The administration depended on the Emperor's personal government, and with Tiberius' retirement from Rome, the affairs of the State began to show signs of neglect. Gaius began his reign well, but soon went off into wild irregularities, amid which the cares and responsibilities of his position were quite forgotten. At the beginning of his successor's reign there was a difficult problem to

<sup>1</sup> Cp. Dio, LIII. 23. 5 (Cornelius Gallus).

<sup>2</sup> An exact date for the origin of a system so gradually developed can hardly be given. Could we date Augustus' reform of the knights, we should gain one important landmark; but that is unfortunately impossible.

<sup>3</sup> Cp. here Hirschfeld, *K. VB.* p. 466 ff.

face. Augustus' system needed to be set in working again and, to ensure its success, reforms were necessary. Claudius—or perhaps we should rather say his able freedmen Pallas and Narcissus—was equal to the occasion. The 'fiscus' was established virtually as a State chest and its head, the 'a rationibus,' became an important official. The procurators of the Emperor, hitherto, in the eyes of the law, purely private agents, received jurisdiction in civil cases<sup>1</sup>, and a number of fresh procuratorial posts were created<sup>2</sup>. Freedmen, as might be supposed, play an important part in the government, and, apart from the heads of bureaux at Rome, we find Pallas' brother Felix as procurator of Judaea. Nero did not interest himself sufficiently in government to leave much trace of his influence behind. The wise counsels of Seneca and Burrhus in the good years of his early reign must have contributed largely to the improvement of the administration, but, after their removal, wild caprice and greed were the ruling forces. So far as Nero had a definite policy, it seems to have been one of bitter hostility to the Senate, and we hear of a wild threat uttered by him, 'ne reliquis quidem se parsurum senatoribus, eumque ordinem sublataturum quandoque e re publica ac provincias et exercitus equiti Romano ac libertis permisurum'<sup>3</sup>. The Senate was no longer indispensable for the task of government, and it was only a matter of time for its remaining share to be taken from it.

<sup>1</sup> Tac. *Ann.* xii. 60 (for a full discussion of the passage see below in chapter II.). Suet. *Claud.* 12.

<sup>2</sup> E.g. procurators of the aqueducts, and the 'patrimonium' (see below).

<sup>3</sup> Suet. *Nero*, 37.

Vitellius' brief reign had one important change to show. Tacitus reports that Vitellius 'ministeria principatus per libertos agi solita in equites Romanos disponit'.<sup>1</sup> The change is significant, foreboding, as it does, the great reform of Hadrian, by which freedmen were practically excluded from all high employment in the State. Vespasian governed wisely and well, devoting especial attention to the disorganized finances and restoring the public credit, but no substantial reforms can be attributed to him. Domitian, following Vitellius, divided 'quaedam ex maximis officiis' between knights and freedmen<sup>2</sup>. Nerva and Trajan both strove to confine the influence of imperial freedmen within reasonable limits, but it was left to Hadrian to give this endeavour definite form. His reign marks the beginning of a new epoch in the financial administration<sup>3</sup>. He finally excluded freedmen from the great offices, in which they had hitherto won importance in the State, entrusting them to knights<sup>4</sup> and giving them a definite place in the knight's career. Under him the whole civil system received a new form, and the first step was taken towards the formation of a real bureaucracy. Of his many other reforms in the field of finance, we need not speak in detail. He reorganized

<sup>1</sup> *Tae. H.* 1, 58; the posts meant are probably the 'a rationibus,' 'ab epistulis,' and others.

<sup>2</sup> *Suet. Dom.* 7.

<sup>3</sup> Cp. here Sehurz, 'De mut. in imp. R. ordin. ab imp. Hadriano factis,' esp. pp. 12 ff., 20 ff., 27 ff.

<sup>4</sup> Cp. *Life of Hadrian*, 22 'ab epistulis et a libellis primus equites Romanos habuit' (this is probably an over-statement, in view of the measure of Vitellius discussed above). The same transference from freedmen to knights is probable for the 'procuratura patrimoni' and 'hereditatium.'

the imperial post and placed it under equestrian 'praefecti vehiculorum'<sup>1</sup>, and dealt a decisive blow at the old evil system of indirect collection of taxes. He appointed 'advocati fisci' to uphold the interests of the 'fiscus' in the courts of law, and instituted, by the side of the military, a civil introduction to the equestrian career, in the above-mentioned post of 'advocatus fisci,' the 'a commentariis praefecti praetorio' and others. He himself had an intimate personal knowledge of the state of public finances<sup>2</sup>, and took a special interest in the administration of the imperial domains<sup>3</sup>. Again, by the admission of knights to his 'consilium'<sup>4</sup>, he gave that order an enhanced prestige. Into the further development of the administration after the time of Hadrian we need not enter in detail. His reforms endured, and the civil service continued to move along the lines into which he had brought it, down to the times of Diocletian and Constantine<sup>5</sup>. The reign of Septimius Severus, it is true, also marked the beginning of a new epoch<sup>6</sup>. After him the importance of the army becomes more and more decisive, and procuratorial

<sup>1</sup> Cp. *Life of Hadrian*, 7.

<sup>2</sup> *Life of Hadrian*, 20; cp. c. 11 'omnes publicas rationes ita complexus est, ut domum privatam quivis paterfamilias diligens non satius norit.'

<sup>3</sup> Cp. the 'lex Hadriana' quoted in the decree of Commodus to the 'coloni' of the 'Saltus Burunitanus.' *C. viii.* 10570.

<sup>4</sup> Cp. *Life of Hadrian*, 8. 18 and 22. *Dio*, *lxix.* 7. 1.

<sup>5</sup> Cp. Aurelius Victor's suggestive but exaggerated statement, *Ep.* ch. 14 'Oficia sane publica et palatina nec non militiae in eam formam statuit, quae paucis per Constantinum immutatis hodie perseverat.'

<sup>6</sup> Such changes, subsequent to Hadrian, as are of importance for the development of the system will be noticed later in their particular bearing on the subject.

posts come to be regarded as rewards for long and faithful military service. But his policy marks rather the carrying out of Hadrian's reforms to their natural end, than any real innovation upon them. In the third century, amid the tumult of civil and foreign wars, the internal mechanism of the Empire broke down. The Emperors were too busy fighting their own or the State's battles to pay much heed to good administration, and, when reform did come at last with Diocletian, it was not so much a restoration of the old as a construction of something totally new. The Principate was at an end, and the fully developed autocracy, with new forms and new institutions, took its place.

The class on which the Emperors mainly depended for the supply of their financial officials was that of the knights. We have seen how, from the first, they enjoyed a large share of such appointments, and how, after Hadrian, they practically monopolized all but those of subordinate importance. Their general position under the Empire will demand treatment later. But, in the early stages and in fact throughout the whole of the first century, they were to some extent rivalled by the imperial freedmen. Regularly<sup>1</sup> employed in the great imperial bureaux, and occasionally attaining to procuratorships of provinces<sup>2</sup>, the latter enjoyed a political influence, which contrasts strangely with their humble and despised social position. This anomaly, strange as it may seem to us—strange and revolting as it seemed

<sup>1</sup> The first step towards reform was taken by Vitellius (see above).

<sup>2</sup> I.e. 'procuraturae provinciarum,' the special procuratorships for the provinces. Where procurators of indirect taxes and the like, serving in the provinces, are meant, they will be more closely defined.

to Romans of the day—finds its natural explanation in the personal rule of the Emperor and the relations of the imperial freedmen to him. The intimate connection between the general power and influence of these freedmen and their employment in the public<sup>1</sup> service may justify a brief sketch of the history of the class during the first century A.D.<sup>2</sup>

The power of the imperial freedmen centred in the first century round the great imperial bureaux (*scrinia*), the 'ab epistulis,' 'a libellis,' 'a studiis,' and the great financial post of 'a rationibus.' From the time of Claudius onward these posts were of high importance and virtually public offices. But there were two reasons for the employment of freedmen in them :

(i) They originated as purely private positions and as such were regarded like those of any private household.

(ii) Important as they became, they were directly dependent on the Emperor.

Further, the field of imperial finance offered a promising career to the able freedman. He might find employment in a household post, or even in one of those more important posts afterwards reserved for knights<sup>3</sup>. Even the procuratorship of a province lay within the bounds of his hope and ambition. With Hadrian however, as we have already seen, a change set in. From all posts of real public importance freedmen were now

<sup>1</sup> Nominally the Emperor's private service, virtually that of the State.

<sup>2</sup> Cp. here Friedländer, *Sitteng. Roms*, I. p. 82 ff.

<sup>3</sup> Freedmen occur in the first century as 'praefecti classis,' 'procuratores hereditatium,' 'patrimonii,' etc., whereas after Hadrian knights take their place.

strictly excluded, and few succeeded in evading the strict prohibition. The one great exception is the great financial office of 'a rationibus,' which, even after Hadrian, is found not infrequently in the hands of freedmen<sup>1</sup>—the reason no doubt being that here above all a stricter control was necessary. In the household and also in the minor provincial posts they continued to find employment, but their political influence was once and for all shattered. The most important position now regularly open to a freedman was that of 'cubicularius,' or imperial chamberlain, which first became important under Domitian<sup>2</sup>, and gained still more in influence in the second century.

The rise of the freedman class is one of the most striking social phenomena of the first century of the Empire. Even the freedmen of private individuals often attained to enormous wealth, and used their gains, like the parvenus of every age, to procure for themselves a position in society. They were for the most part active and energetic men, with little sensibility or refinement, but plenty of business capacity, and they found many branches of business, which were considered degrading by the upper classes, left open to them. Little wonder that they soon pushed their way to the front and forced themselves on the society that professed to despise them. The same is true in a much

<sup>1</sup> *C. ix.* 2438 'Cosmus, Aug. lib. a rationibus' (date about 166—169 A.D.); under Marcus and Verus freedmen seem for a time to have regained something of their old influence; for freedmen procurators of provinces at about this date cp. *C. vi.* 8450, 8568, 8569. Cp. Hirschfeld, *K. VB.* p. 381, note 4.

<sup>2</sup> Cp. Parthenius, Domitian's chamberlain, a patron of Martial. Cp. Martial, *Ep. v.* 6, *iv.* 45.

higher degree of the freedmen of the Emperor. Throughout the whole of the first century A.D., their influence was great and continuous, and even the stricter Emperors allowed specially favoured freedmen to rise above their class. Augustus, for instance, kept a tight rein on them, but yet allowed a Licinus to tyrannize in Gaul<sup>1</sup>. Tiberius, though too proud to submit tamely to domestic influences, allowed a freedman to become prefect of Egypt, and under him Thallus, Euhodus and Nomius were notorious for wealth and power. Under Gaius' wild rule, they began to rise to prominence, and the position of Callistus dates from this reign<sup>2</sup>. Claudius was the slave of his wives and freedmen<sup>3</sup>, and his whole reign was marked by a series of intrigues among them. The most notorious among the latter were Pallas, the 'a rationibus,' Narcissus, 'ab epistulis,' Callistus, 'a libellis,' and Polybius, 'a studiis.' Felix, brother of Pallas, was procurator of Judaea and husband of three queens, and others, such as Harpocras, Myron and Amphaeus would have been notorious under a better government. Under Nero we can point to Polyclitus, who was sent to Britain to arbitrate between procurator and governor, Helius, who was left in charge at Rome during Nero's absence in Greece (66—67), and Epaphroditus, 'a libellis,' who assisted at his death. Galba put a number of Nero's freedmen to death, but at the same time not only spared one of the most notorious of them, Halotus, but actually promoted him to an important procuratorship. His own freedman Icelus received

<sup>1</sup> Dio, LIV. 21. 2. <sup>2</sup> Seneca, *Ep. Mor.* 47. 9. Dio, LIX. 19. 6.

<sup>3</sup> Dio, LX. 19. 2—3, 30. 6 b, etc. Suet. *Claud.* 28.

knighthood and abused his power with the worst. Otho recalled freedmen of Nero to their old posts, and entrusted his own freedman Moschus with the command of the fleet. Under Vitellius, Valerius Asiaticus continued the evil tradition, and even Vespasian allowed Hormus an extraordinary degree of power. Under Domitian, Parthenius and Sigerus as chamberlains were extremely powerful<sup>1</sup>. Under Nerva and Trajan a change for the better set in, and the power of freedmen was considerably restricted<sup>2</sup>. On one occasion, when a certain imperial freedman, Eurythmus, was charged with forging a will, and the prosecutor feared to press the charge, Trajan reassured him with the notable words 'He is no Polyclitus and I no Nero<sup>3</sup>.' Hadrian, in strict keeping with his policy of excluding freedmen from high office in the State, kept his own under strict control<sup>4</sup>, and Antoninus Pius followed his example. Even later however they were occasionally powerful, but they owed their power now not to the possession of high office, but to their personal influence with the Emperor. Under Marcus and Verus, Geminus and Agaclytus<sup>5</sup> were notorious, and, as has already been mentioned, freedmen are found bearing the title of

<sup>1</sup> Dio, LXVII. 15. 1 ff.

<sup>2</sup> Pliny, *Paneg.* 88 'plerique principes, cum essent civium domini, libertorum erant servi...tu libertis tuis summum quidem honorem sed tamquam libertis habes abundeque sufficere eis credis, si probi et frugi existimenter.'

<sup>3</sup> Pliny, *Ep.* vi. 31. 9.

<sup>4</sup> *Life of Hadrian*, 21. 2 'libertos suos nec sciri voluit in publico nec aliquid apud se posse, dicto suo omnibus superioribus principibus vitia imputans libertorum, damnatis omnibus libertis suis, quicumque se de eo iactaverant.'

<sup>5</sup> *Life of M. Aurelius*, 15. 2 ff.

'procurator provinciae.' Commodus was entirely at the disposal of his freedmen, and, after Septimius Severus had restored a stricter regime, Caracalla and his successor again became their slaves.

It is hardly necessary to state that the predominance of these low-born upstarts gave the deepest offence to the pride of the old nobility. Nothing gives us so vivid an impression of the immense power to which freedmen could attain as the bitter indignation which they aroused in such men as Tacitus and Pliny<sup>1</sup>. An adroit time-server could often maintain himself after the fall of his master and continue his influence into the reign of his successor: Claudius Etruscus, 'a rationibus' of Domitian, served under ten imperial masters, and saw six of them perish by violent deaths<sup>2</sup>. But their position was none the less precarious. Their wealth might attract the notice of an avaricious Emperor and might tempt him to hasten on the day when he should have his share of it<sup>3</sup>.

Their opportunities for amassing wealth were manifold, and the 'libertinae opes' became proverbial<sup>4</sup>. Narcissus possessed 400,000,000 HS, Pallas 300,000,000. Apart from the emoluments of their offices, they could turn to account their position of confidence near the

<sup>1</sup> Tac. *H. 1.* 76 'nam et hi (i.e. freedmen) malis temporibus partem se rei publicae faciunt'; cp. Pliny, *Ep. viii. 6*.

<sup>2</sup> Statius, *Silvae*, iii. 3. 66 ff.

<sup>3</sup> Cp. Suet. *Nero*, 35; Tac. *Ann. xiv. 65*; cp. Tac. *H. ii. 95*; for the right of the 'fiscus' to a part of their fortune at death cp. Suet. *Vesp.* 23, the anecdote about Cerulus.

<sup>4</sup> Cp., in general, Suet. *Claud.* 28 '(Claudius) abundaturum si a duobus libertis in consortium recipetur'; Juvenal, *Sat. i. 102 ff.*; *xiv. 328 ff.* 'nec Persica regna sufficient animo, nec divitiae Narcissi'; Martial, *Ep. v. 13. 6* 'et libertinas arca flagellat opes.'

Emperor's person, by selling reports of his words and intentions, as often as not false<sup>1</sup>. Like the 'nouveau riche' of every age, the freedman was ever ready to publish the fact of his wealth by extravagant luxury and display. Often however his love of ostentation would take a more wholesome form in the shape of handsome gifts of public buildings to towns.

In contrast to their amazing wealth and power, their external distinctions were as a rule remarkably slight. Even bestowals of equestrian rank were relatively scarce<sup>2</sup>, and the 'ornamenta' of the quaestorship<sup>3</sup> and praetorship<sup>4</sup> fell to the lot of none but the most distinguished of their numbers. But, although, as this shows, their low origin was not entirely forgotten, in practice they enjoyed the highest respect and consideration. It will be enough to instance the decree of the Senate, passed in honour of Pallas, which aroused the indignation of the younger Pliny many years afterwards<sup>5</sup>. Alliances of freedmen with distinguished families were not uncommon, and, what they lacked in birth and breeding, they compensated for by their unparalleled audacity and self-assurance.

Such were the freedmen of the first century. But far more important for our present purpose than this class were the Roman knights, who, as we have seen, began already under Augustus to hold important

<sup>1</sup> For these so-called 'fumi' cp. Martial, iv. 5. 7. *Life of Alex. Sev.* 23. 9 and 36. 1 ff.

<sup>2</sup> Cp. Pliny, *Epp.* viii. 6. 4; Suet. *Galba*, 14; *Vit.* 12; Tac. *H.* iv. 39, etc.

<sup>3</sup> Narcissus, Tac. *Ann.* xi. 38.

<sup>4</sup> Pallas, Pliny, *Epp.* viii. 6; and Tac. *Ann.* xii. 53.

<sup>5</sup> Cp. Pliny, *Epp.* viii. 6.

financial posts, and, after Hadrian, had the exclusive enjoyment of all but the subordinate positions. When Augustus looked round him to find a class of men from whose ranks he might draw his financial officers, the equestrian body at once showed itself suited to his purpose. The Senate was already fully represented in the higher military and administrative functions: the provincials were not yet ripe for State employment, and the lower classes of Rome, the 'plebs,' were too demoralized to be trusted with any serious employment. The imperial freedmen might have filled the gap, and did in fact to some extent fill it, but Augustus probably realized the danger of giving them anything like political power, and wished, so far as possible, to obviate it. The knights alone remained. As 'publicani' and private speculators, they had already acquired experience in the handling of finance, and, by employing them in his service, Augustus could serve more ends than his immediate one. He attached to his private service an important and influential section of the State, and provided a sphere for their ambitions<sup>1</sup>.

For the history of the knights during the Republic we may refer to Mommsen's masterly sketch in his *Staatsrecht*<sup>2</sup>. The Roman knights formed originally the body of State cavalry, serving on horses provided by the State (equi publici), and receiving allowances

<sup>1</sup> Dio, LII. 25 τὰς τε διοικήσεις τῶν χρημάτων, τῶν τε τοῦ δήμου καὶ τῶν τῆς ἀρχῆς λέγω, καὶ τὰς ἐν τῇ Ρώμῃ τῇ τε ἄλλῃ Ἰταλίᾳ καὶ τὰς ἔξω πάσας οἱ ιππεῖς διαχειρίζετωσαν. Cp. the reason given below:

ὅτι μήτε δυνατὸν μήτε συμφέρον ἐστί σοι τοὺς αὐτοὺς τῶν τε δυνάμεων καὶ τῶν χρημάτων κυρίους γίγνεσθαι.

<sup>2</sup> Mommsen, *R. StR.* III. 1. p. 476 ff. Madvig, *V. V.* 1. p. 155 ff., is not so clear, but gives much valuable information.

from it, the 'aes equestre' for the purchase of the horse and the 'aes hordearium' for its keep. Under the Servian constitution, the 1800 knights, chosen on a timocratic basis, formed the eighteen equestrian centuries of the 'comitia centuriata.' The property qualification for the early period is unknown. The number was probably felt at an early date to be inadequate, and we hear of a proposal of Cato the Elder to increase the troop. This measure was not taken, but the practical difficulty was met by the introduction of service on the private horse (*equo suo*)<sup>1</sup>, and the choice of men for this service was made by the censors from the richer classes of the State. The phrase 'ordo equester,' which strictly included only the knights serving on the public horse, 'equites equo publico,' as they were termed, now came to bear a wider meaning, and to embrace besides ( $\alpha$ ) those serving on the private horse (*equo suo*), and even ( $\beta$ ) those qualified so to serve, whether actually serving or not. The 'eques Romanus' begins to denote not only the actual member of the equestrian centuries, but also all those belonging to a certain class in the State<sup>2</sup>. This change was accompanied by another in the character of the knights' military service. The knights of the centuries ceased to perform the duties of a State cavalry, their place

<sup>1</sup> Cp. Livy, v. 7 (on the year 403 B.C.) and xxvii. 11 (on the year 209 B.C.); the knights, who had shared in the defeat at Cannae, were condemned by the censors to serve 'equis privatis' and to start their military service afresh.

<sup>2</sup> For the terminology cp. Mommsen, *R. StR.* iii. 1. p. 480 ff.; cp. for strict use, Pliny, *N. H.* 33. 1. 30 'equitum nomen subsistebat in turmis equitum publicorum'; Madvig, *loc. cit.*, does not trace so distinctly the development of the service 'equo privato.'

being taken by the allies, and continued to serve only in officers' posts, the 'tribunatus legionis,' and the 'praefectura sociorum'—later the 'praefectura cohortis' and 'praefectura alae.' The political functions of the knights still survived, but as yet they in no way formed a separate body in the State; for the incompatibility of a place in the equestrian centuries with a seat in the senate was not yet recognized<sup>1</sup>. The exclusion of senators seems to have been the work of C. Gracchus. He found the 'ordo equester' existing as a wide and powerful class in the State. It was his work to separate it decisively from the Senate and raise it up as a political rival to that body, by placing it in possession of the jury panels. Gaius was in no sense the creator of the 'ordo equester' in the wider sense<sup>2</sup>, but his reforms gave it an altogether new importance in politics. Comprising as it did the great bulk of the capitalists of Rome, and above all the farmers of the taxes (publicani), it had distinct political interests of its own, and, in the control of the jury courts, it found, as Gracchus had meant that it should find, the means of realizing them. Gaius himself boasted that he had sown deadly strife between the two chief orders of the Roman State, and the history of the last years of the Republic furnishes an instructive commentary on his

<sup>1</sup> Cp. Madvig, *loc. cit.*; Livy, xxxix. 44; cp. Mommsen, *R. StR.* III. 1. p. 505 ff., and notes 1 and 2. Cp. Cicero, *de re p.* 4. 2; the younger Scipio speaks (the year 129 is thought of): 'quam commode ordines descripti, aetates, classes, equitatus, in quo suffragia sunt etiam senatus: nimis multis iam stulte hanc utilitatem tolli cupientibus, qui novam largitionem quaerunt aliquo plebei scito reddendorum equorum.'

<sup>2</sup> I.e., as nothing more than a property-class.

claim. The political power of the knights, once established, could not be overthrown. Sulla restored the seats on the juries to the Senate, but the 'lex Aurelia' of 70 B.C.<sup>1</sup> introduced the knights once more, in partnership with Senators and the 'tribuni aerarii.' They were henceforth a force to be reckoned with, and it was the keynote of the policy of Cicero to promote the 'concordia ordinum,' the harmonious cooperation of knights and Senate.

The task of selecting the knights—those who were to serve 'equo suo' as well as the 'equites equo publico'—had belonged to the province of the censors<sup>2</sup>. But, after the time of Sulla, the censorship gradually fell into disuse, and, though censors were still from time to time appointed, the census itself was only held once again during the Republic, in the year 70 B.C. 'Equites equo publico' in the old sense could therefore no longer exist, and a new mode of recruiting the equestrian centuries was required<sup>3</sup>. Mommsen believes that the rule now became established that the sons of senators<sup>4</sup>,

<sup>1</sup> Cp. Mommsen, *R. Str.* iii. 1. p. 533, and note 1; the 'tribuni aerarii' probably formed a property-class, and were possibly knights in the wider sense of the word. Cp. Livy, *Ep.* 97 'iudicia per M. Aurelium Cottam praetorem ad equites Romanos translata sunt.'

Vell. Pat. ii. 32. 3 'Cotta iudicandi munus...aequaliter in utrumque ordinem partitus est.' These notices, though inaccurate and divergent from one another, tend to prove that the distinction between the knights and the 'tribuni aerarii' was only a slight one.

<sup>2</sup> They reviewed the knights once in each 'lustrum' and inflicted their 'nota' on the disreputable. Expulsion from the centuries took the form of an order to sell the horse.

<sup>3</sup> It is at least possible that this censorial function was taken over by the consuls.

<sup>4</sup> Cp. Isidor, *Orig.* ix. 4. 12 'quamvis senatoria quisque origine esset, usque ad legitimos annos eques Romanus erat, deinde accipiebat

and those who had served as 'tribuni militum' became ex-officio members. This alone would hardly have sufficed to maintain the original numbers, but the censorship of the year 70 probably did much to preserve the 'status quo,' and to this we may perhaps attribute the fact that no marked change in the position of the knights can be observed at the beginning of the Empire. The fixing of the equestrian census at 400,000 HS by the 'Lex Roscia' of 67 B.C. may have been occasioned by the need now felt for a better definition of the qualifications for equestrian rank<sup>1</sup>. Madvig's<sup>2</sup> view on the other hand is that in the closing years of the Republic admission to the knights could be obtained by voluntary application, accompanied by a statement of qualifications<sup>3</sup>. Under these circumstances, it is clear that many men, especially those living at a distance from Rome, would not trouble to apply, and would therefore remain potential, but not actual, knights.

Under Augustus the equestrian body underwent a complete reorganization. His endeavours to restore health and vitality to the various parts of the State

'honores senatoriae dignitatis' (the latter half of this statement is rightly rejected by Madvig); the exact date of the introduction of this rule is unknown, unless Mommsen is correct here in assigning it to Sulla.

<sup>1</sup> Cp. Mommsen, *R. StR.* III. 1. p. 485 ff.

<sup>2</sup> Madvig, *V. I.* 1. p. 164 ff.

<sup>3</sup> It was practically a man's census that now made him a knight. Cp. Cic. *pro Rosc. Com.* 14 'quem tu, si ex censu spectas, eq. R. est; si ex vita, homo clarissimus.' Cp. Pliny, *N. H.* xxxiii. 29; Horace, *E.p.* 1. 1. 57 ff.

'est animus tibi, sunt mores, est lingua fidesque,  
sed quadringentis sex septem milia desunt :  
plebs eris.'

extended to the knights as well<sup>1</sup>, and, in reorganizing them, he was preparing for himself a class, on which to draw for his civil servants. Our knowledge of the measures that he took is unfortunately incomplete, and several points of importance remain under some doubt.

Our chief authority for Augustus' measures is Suetonius, *Augustus*, 38 and 39. The passage is important and deserves to be quoted in full. It runs as follows: 'equitum turmas frequenter recognovit, post longam intercapedinem reducto more travectio[nis]. Sed neque detrahi quemquam in travehendo ab accusatore passus est, quod fieri solebat, et senio vel aliqua corporis labore insignibus permisit, praemisso in ordine equo, ad respondendum quotiens citarentur pedibus venire: mox reddendi equi gratiam fecit eis, qui maiores annorum quinque et triginta retinere eum nollent; impetratisque a senatu decem adiutoribus, unumquemque equitum rationem vitae reddere coegit, atque ex improbatis alios poena, alios ignominia notavit, plures admonitione sed varia. Lenissimum genus admonitionis fuit traditio coram pugillarium, quos taciti et ibidem statim legerent; notavitque aliquos, quod pecunias levioribus usuris mutuati graviore foenore collocassent.' The general sense of the passage is clear. Augustus revived the old ceremony of the 'transvectio equitum,' the solemn procession on the 15th of July in honour of the Dioscuri, the origin of which was said to go back to the battle of Lake Regillus<sup>2</sup>, but combined with it a 'recognitio' or 'probatio equitum'; in other words, he used the occasion to reprimand any knights whose

<sup>1</sup> Cp. Dio, LII. 26. 1 ff.

<sup>2</sup> For this ceremony cp. Dionysius, 6. 13.

conduct gave offence. The 'transvectio' was annual, but the 'reconitio' only took place at intervals<sup>1</sup>, and did not invariably accompany it. The real scrutiny into the lives and characters of knights naturally took place beforehand; at the actual 'transvectio' the results were made public. In this task Augustus was assisted by commissioners assigned to him by the Senate, on one occasion three<sup>2</sup>, on others ten in number<sup>3</sup>. Augustus seems to have taken this 'reconitio equitum' very seriously, and the institution certainly lasted some time after his death<sup>4</sup>. But it was obviously impossible to apply for long a ceremony of the capital to a body of men scattered over the whole Empire; the procession of knights, it is true, lasted down into the fourth century A.D., but it ended, as it had begun, as a mere festal display.

There is one sentence in the passage from Suetonius, the meaning of which is disputed and which therefore requires special attention. We read 'mox reddendi equi gratiam fecit eis, qui maiores annorum quinque et triginta retinere eum nollent.' Mommsen declares that 'gratiam facere' can only mean 'excuse' and not 'permit,' and is therefore inclined to read 'mallent' or 'vellent' in place of 'nollent,' and translate 'he excused those knights from returning the horse, who were over thirty-

<sup>1</sup> Cp. Suet. *loc. cit.* 'frequenter recognovit.'

<sup>2</sup> Suet. *Aug.* 37 'nova officia excogitavit...triumviratum legendi senatus, et alterum recognoscendi turmas equitum quotiensque opus esset.'

<sup>3</sup> Cp. Suet. *loc. cit.*

<sup>4</sup> Notices of it are not frequent, but cp. Suet. *Gaius*, 16 'equites R. severe curioseque, nec sine moderatione, recognovit,' et seqq. Later, the Emperors exercised similar functions as censors.

five years of age and desired to retain it<sup>1</sup>.' From this he infers the life-tenure of the 'equus publicus.' This view is rejected by Madvig, probably with justice. Keeping the text ('nollent') and giving 'gratiam facere' the meaning of 'to permit'<sup>2</sup>, he translates 'he permitted those knights to return the horse, who... were undesirous of retaining it.' If we bear in mind, that under the Republic the maintenance of the 'equus publicus' was a heavy burden and that it was a financial privilege to be allowed to return it<sup>3</sup>, this interpretation seems to fit the sense as well as it does the grammar.

Before passing on to a consideration of some particular points, it will be well to take a general survey of Augustus' policy in regard to the knights. The main motive that actuated him was clearly the wish to restore life and activity to that disorganized class. From the lower orders of Rome there was little to be hoped; the most that could be done was to keep them quiet and ignobly contented with their 'panem et Circenses.' If Rome was to prove equal to her task of governing a world-wide Empire, it could only be through the agency of her upper classes, the senators and knights. With Augustus' treatment of the Senate we are not at

<sup>1</sup> Mommsen, *R. StR.* III. 1, p. 492 and note 1. The passage of Dio (LIV. 26. 8), which he quotes, probably belongs elsewhere.

<sup>2</sup> That this meaning is quite legitimate is conclusively proved by Madvig in his edition of Cic. *De Finibus*, p. 253 (3rd edition). Cp. Livy, III. 41. 4 'facta Valerio dicendi gratia.'

<sup>3</sup> Cp. Livy, xxxix. 19 (186 B.C.), reward given to a certain P. Aebutius 'ne invitus militaret neve censor ei equum publicum assignaret.' Cp. Cic. *De Rep.* IV. fr. 2 (quoted above), 'larginio reddendorum equorum.'

present concerned; suffice it to say that he was undoubtedly honest in his attempt to assign it a definite share in the government. But for his personal share in the government Augustus needed helpers, and these were to be found not in the Senate, not among the provincials, still less among the city 'plebs,' but only in the second order of the State, the knights. He therefore took this body under his particular care; every man, who was henceforward to rank as knight in the strict sense of the word, must look to the Emperor for the bestowal of the public horse, and must thereby come under the Emperor's personal censorship. These measures must have aroused considerable opposition; there were certainly many who had no wish to accept equestrian rank at the price, who were content with the position, which their fortunes assured them, and it was undoubtedly meant as a concession to such that retirement from the 'ordo equestris' in the strict sense was allowed at the age of thirty-five.

How could entrance to the body be obtained? The 'equus publicus' was still bestowed by the censors in so far as they continued to exist<sup>1</sup>. But, from an early date, the Emperors themselves assumed the right of bestowing it. We have a number of instances of such bestowal by Augustus himself<sup>2</sup>, but, in virtue of what particular powers he exercised the function, we do not know. When Domitian finally made the censorship an integral part of the imperial power, the right belonged to the Emperor and to him alone<sup>3</sup>. The inscriptions

<sup>1</sup> Cp. Strabo, 3. 5. 3, p. 169.

<sup>2</sup> Suet. *Aug.* 27; Dio, XLVII. 7. 5; XLVIII. 45. 7.

With the censorship the Emperor also obtained the formal right

attest numerous instances of bestowal of the public horse by him<sup>1</sup>, and aspirants to the honour had to address their petition to him<sup>2</sup>. There was a bureau at Rome, the 'a censibus,' which is often found in inscriptions in close connection with the 'a libellis.' Mommsen regards it as a subdivision of the latter and thinks that its chief business was to receive and consider petitions for the bestowal of the public horse<sup>3</sup>. It is probable however that it was independent of the 'a libellis'<sup>4</sup>, though no doubt connected with it, and that its duties were at least wider than Mommsen would allow. Had it been practically limited to the enrolment of knights, this fact would surely have been expressed more plainly in the title ; and there is no proof of the identity of this office and that of 'a[d] census equit[um] Roman[orum]' (C. x. 6657)<sup>5</sup>. On the whole, it seems

to revise the list of knights. Cp. Suet. *Claud.* 16 ; *Life of Alex. Sev.* 15. 1 '...deinde senatum et equestrem ordinem purgavit' ; ep. Dio, LIII. 17. 7, LIII. 19.

<sup>1</sup> Cp. bestowals by Galba, Tac. *H.* I. 13 ; Titus, C. II. 4231 ; Trajan, C. II. 4211 ; Hadrian, C. II. 4213, 4254.

<sup>2</sup> Cp. Dositheus, 6 (collection of rescripts of Hadrian) ; a refusal of an application with reasons assigned.

<sup>3</sup> Cp. Mommsen, *R. StR.* III. 1. p. 490 ff. and note 2 ; for an opposite view, stated in the introduction, see Hirschfeld, *K. VB.* p. 65 ff. and passages and inscriptions there quoted.

<sup>4</sup> Cp. C. VI. 1628 mag. a lib[ellis], [m]agistro a cen[sib(us)]. Probably however the two offices were sometimes united in one hand. Cp. C. XIII. 1808 a libellis et censibus. (Note absence of 'a' before 'censibus'.)

<sup>5</sup> I confess myself unable to come to any certain conclusion on the existing evidence. But I would suggest, that this 'ad census equitum Romanorum' was an officer distinct from the 'a censibus,' that he was appointed for the first time about 195 A.D. (the date of C. x. 6657), and that he, and not the 'a censibus,' is referred to in Herod. v. 7. 7 (an officer in charge of *παιδεῖας τῶν νέων καὶ εὐκοσμιας*

probable that Hirschfeld is right, in assigning to it wider functions in connection with the Emperor's censorial powers; but we need not question the statement, that those functions included the bestowal of the public horse.

The qualifications for knighthood under the Empire were much the same as in Republican times, free birth<sup>1</sup>, honourable character and the possession of the equestrian census of 400,000 HS<sup>2</sup>. The minimum age was at first that of military fitness, the end of the seventeenth year<sup>3</sup>, but, from the second century onward, we find the public horse bestowed by imperial favour on quite young boys<sup>4</sup>. These latter cases lead one to ask whether equestrian rank ever actually became hereditary. Mommsen (*R. StR.* III. p. 500 and note 3) denies it, but his explanation of inscriptions quoted there is not quite satisfactory. A certain M. Valerius Amerimnianus, who died at the age of seventeen, was 'natus eques Romanus in vico Iugario'<sup>5</sup>: if, as Mommsen suggests, 'natus' goes only with 'in vico Iugario,' the order of words is unintelligible and misleading. It is probably best to accept the natural rendering of these *τῆς τε ὑποστάσεως τῶν ἐς τὴν σύγκλητον βουλὴν ἢ τὸ ιππικὸν τάγμα κατατασσομένων*.

Dio's ὑποτιμητής (Dio, lii. 21. 3 ff.) is apparently a suggested improvement of this officer.

<sup>1</sup> In Republican times even sons of freedmen were excluded, and Tiberius required free birth up to the third generation.

<sup>2</sup> Cp. Suet. *Aug.* 40; a relaxation of this regulation for those 'quibus ipsis parentibusve equester census umquam fuisset.'

<sup>3</sup> Cp. Dio, lii. 20. 1 *καταλέγεσθαι δὲ χρὴ ἐς μὲν τὴν ιππάδα δικτυκαὶ δεκέτεις.....*

<sup>4</sup> Cp. C. x. 3924, a five-year old boy. C. vi. 1590, iii. 4490, etc.

<sup>5</sup> C. vi. 1632. Cp. Dessau, 1319 'C. Hadius Ventrio eques natus Romanus inter beta et brassica.'

passages and admit that equestrian rank did in time come to pass from father to son<sup>1</sup>. We have already seen reason to believe that the age of thirty-five formed the upper age limit, beyond which the knight need not retain the 'equus publicus,' if he preferred to return it.

The class from which the knights were to be recruited was mainly determined by the requirement of the equestrian census. The chief change in this respect under the Empire consisted in the enrolment among the knights of large numbers of provincials<sup>2</sup>; in Maecenas' scheme in Dio the knights are to represent the second order throughout the Empire<sup>3</sup>. The number of 'equites equo publico' was no longer restricted; even in Augustus' reign, as many as 5000 knights took part in the 'transvectio'<sup>4</sup>, and the continually increasing number of inscriptions attests the continued spread of the title.

The body of 'equites equo publico' was still divided as before into 'turmae' or troops, but the old division by centuries fell into disuse with the decay of the

<sup>1</sup> For a defence of this view, cp. Kübler on 'Equites Romani' in Pauly-Wissowa; perhaps it was a matter of special imperial favour, i.e. the Emperor might hold out the prospect of equestrian rank to a man's children.

<sup>2</sup> Cp. Suet. *Vesp.* 9 'amplissimos ordines...purgavit supplevitque recenso senatu et equite, summotis indignissimis et honestissimo quoque Italieorum ac provincialium allesto'; Dio, LIX. 9. 5; the Emperor Gains enrolled as knights τοὺς πρώτους ἐξ ἀπάσης καὶ τῆς ἔξω ἀρχῆς τοῖς τε γένεσι καὶ ταῖς περιουσίαις.

<sup>3</sup> Dio, LIII. 19. 4 τοὺς γὰρ τὰ δευτερεῖα ἐκασταχθεῖ καὶ γένει καὶ ἀρετῇ καὶ πλούτῳ φερομένους ἐς τὴν ιππάδα κατάλεξον...μηδὲν περὶ τοῦ πλήθους αὐτῶν ἀκριβολογούμενος.

<sup>4</sup> Dionys. 6. 13.

‘comitia centuriata<sup>1</sup>.’ There were certainly six ‘turmae,’ possibly more, under the general presidency of the ‘seviri equitum Romanorum,’ officials appointed by the Emperor and changing from year to year, sometimes of equestrian but more frequently of senatorial rank. The ‘principes iuventutis’ on the other hand were not leaders of the body; the title seems to have been a purely honorary one, bestowed by acclamation, usually on a young prince of the imperial house. On such occasions as State funerals or the annual procession of the 15th of July, the knights appeared in military array and in order of ‘turmae<sup>2</sup>.’ In a sense, the knights formed a separate class in the State, with individual privileges and interests. We find them bestowing titles of honours, registering vows, and sending embassies<sup>3</sup>. But all these acts were absolutely informal; the knights lacked corporate organization and never became a definite corporation like the Senate.

A discussion of the organization of the equestrian body inevitably suggests the question, ‘Were all knights enrolled in the “turmae” or not?’ All ‘equites equo publico’ certainly were. Our question therefore virtually amounts to this, ‘Were there no knights under the Empire except the “equites equo publico”?’ Mommsen answers the question with a decided negative<sup>4</sup>. His view is that the service on the private horse ceased,

<sup>1</sup> For details see Mommsen, *R. StR.* III. 1. p. 522 ff.

<sup>2</sup> Cp. Tac. *Ann.* II. 83 ‘equester ordo...instituit...uti turmae idibus Iuliis imaginem eius (Germanici) sequerentur.’ Cp. Dio, LXIII. 13. 3; Herodian, IV. 2. 4.

<sup>3</sup> Cp. *R.G.D.A.* 6. 24 ‘senatus et equ[ester ordo populusque] Romanus universus [appellant me patrem p]atriae.’

<sup>4</sup> Cp. Mommsen, *R. StR.* III. 1, 480, 489.

perhaps under Caesar, if not so, under Augustus, and that, through the reforms of the latter, every man, who could show due qualifications and was acceptable to the Emperor, forthwith received the 'equus publicus' and was enrolled in the 'turmae.' The knights by courtesy ceased to exist<sup>1</sup>. In support of his view he appeals to the evidence of inscriptions, pointing out the constant use of 'eques Romanus' as the equivalent of 'eques Romanus equo publico'.<sup>2</sup> A passage of Dio may also be taken in support of this view, where the knights are divided into the two classes of *οἱ ἐστὶ τὴν ἵππαδα ἀκριβῶς τελοῦντες* and *οἱ ἐκ τοῦ βουλευτικοῦ γένους ὄντες*, i.e. the knights proper and the sons of senators.<sup>3</sup> The fact that service 'equo suo' ceased, is questioned by no one, but there is strong evidence for believing that the old extended use of the term 'ordo equester,' to include all men of a certain property-class, continued on under the Empire.<sup>4</sup> For the broader use we may compare Josephus, *Ant. Jud.* xix. 3, and Dio, lvi. 42. 2 (*οἱ ἵππης οἱ τε ἐκ τοῦ τέλους καὶ οἱ ἄλλοι*).<sup>5</sup> For the narrower and stricter use there is plentiful evidence; the 'equites equo publico' are designated by a number of phrases, such as *οἱ ἵππεῖς ἐκ τοῦ τέλους*,<sup>6</sup> *οἱ δημοσίᾳ*

<sup>1</sup> I.e., those qualified by their 'census' to serve 'equo suo,' hence a mere property-class.

<sup>2</sup> Cp. C. iii. 1198 'eq[uiti] R[omano], omnib[us] equestrib[us] milit[is] perfunct[o].' iii. 1456 'equite Romano,...procuratori ad alimenta' seqq.

<sup>3</sup> Dio, lv. 2. 3.

<sup>4</sup> See below.

<sup>5</sup> Cp. Kübler on 'Equites Romani' in Pauly-Wissowa; Karlowa, R. RG. I. 523 ff.; Madvig, I'. V. I. p. 171 ff.

<sup>6</sup> Cp. Josephus, *De B. J.* vii. 5. 4 *οἱ ἀπὸ τῶν τιμημάτων ἵππεῖς*. Appian, B. C. iv. 5 *οἱ καλούμενοι ἵππεῖς*.

<sup>7</sup> Dio, lxi. 9. 1.

*ἰππεύοντες*<sup>1</sup>, τὸ τῶν *ἱππέων* τέλος<sup>2</sup>, and others. In defence of this second view we may also adduce a passage of Pliny the Elder<sup>3</sup>, ‘anuli distinxere alterum ordinem a plebe...tertium ordinem mediumque plebei et patribus inseruere, ac, quod antea militares equi nomen dederant, hoc nunc pecuniae indices tribuunt,’ which certainly suggests a money qualification as the one real test of the right to the name. An inscription too shows us an ‘eques Romanus pater duorum eq. pub.<sup>4</sup>?’ Here is an apparent distinction between the ‘equo publico’ and the ordinary knight, but Mommsen would explain it away as nothing but a clumsy form of expression. It is too much to claim this inscription as final proof, but the easy way in which the great German scholar disposes of a piece of adverse evidence shows a tendency to set too little value on ancient authorities, when they conflict with a strongly held opinion of the modern critic.

On the whole, it seems probable that the wider sense of the term ‘eques Romanus,’ which had established itself in general use during the last century of the Republic, continued still. Apart from all other considerations, it is extremely unlikely that those knights, who availed themselves of Augustus’ permission to resign the ‘equus publicus’ at the age of thirty-five, ceased thereby to be knights. On the other hand, the bestowal of the ‘equus publicus’ now came to be a form of imperial recognition, and the possession of it was required as a qualification for officers’ posts in the army

<sup>1</sup> Philostr. *vit. soph.* I. 22. 3, p. 37, 3; II. 105, p. 93, 27.

<sup>2</sup> Dio, XLVIII. 45. 7; LV. 7. 4.

<sup>3</sup> Pliny, *N. H.* 33. 29.

<sup>4</sup> Wilmanns, 2097.

and for the civil employment, to which they paved the way.

Within the equestrian body there existed certain distinctions of rank, which we have now to consider. In the first place, the sons of Senators, who, while as yet too young for the Senate, belonged to the equestrian order<sup>1</sup>, constituted within it a separate and distinguished class<sup>2</sup>. This distinction of rank found its expression in the broad stripe and the title derived from it of 'laticlavius.' The exact meaning of the term 'eques illustris' (or 'splendidus') has been much disputed. It was held by Lipsius to apply to this class of 'laticlavii,' but the assumption is absolutely contradicted by the instances we know and has been rightly rejected by Mommsen. Madvig applies the term to knights who inherited large fortunes and were connected with senatorial families<sup>3</sup>. Karlowa explains it as denoting knights of high rank and in possession of the senatorial 'census,' to whom the Emperor gave the 'latus clavus,' with a prospect of a seat in the Senate<sup>4</sup>. Friedländer

<sup>1</sup> Isidor, *Orig.* 9. 4. 12 'quamvis senatoria quisque origine esset, usque ad legitimos aunos eques Romanus erat, deinde accipiebat honorem senatoriae dignitatis' (the second half of the statement is inaccurate); cp. the case of the Emperor Claudius, who only became a senator when he received the consulship from Gaius. (Dio, LIX. 6. 5.)

<sup>2</sup> Cp. Dio, LV. 13. 6; LV. 2. 3, etc.

<sup>3</sup> Madvig, *V. V.* I. p. 170 ff.; he compares Ovid, *Amor.* III. 15. 5

'usque a proavis vetus ordinis heres  
non modo militiae turbine factus eques.'

<sup>4</sup> Karlowa, *R. RG.* I. p. 526; cp. Dio, LIX. 9. 5 (provincials enrolled as knights by Gaius) καὶ τισν αὐτῶν καὶ τῇ ἐσθῆτι τῇ βουλευτικῇ, καὶ πρὶν ἄρξαι τινὰ ἀρχὴν δι' ἣς ἐσ τὴν γερουσίαν ἐσερχόμεθα, χρῆσθαι, ἐπὶ τῇ τῆς βουλεύειας ἐλπίδι ἔδωκε. Cp. Tac. *Ann.* II. 59: senators and 'equites Romani illustres' forbidden to enter Egypt without leave. This is probably a correct, but too restricted view.

vaguely refers it to those knights of high distinction, who had not attained to State office<sup>1</sup>. The right view is almost certainly taken by Mommsen<sup>2</sup>, when he recognizes in the 'equites illustres' the 'equestris nobilitas' of Tacitus<sup>3</sup>, depending on service under the Emperor. The 'equites illustres', then, were men who had served in the army as officers and had advanced thence to the Emperor's civil service, as procurators or 'praefecti'. But we must beware of attempting to fix too closely the meaning of so informal a title, or to connect it with the holding of any particular office or offices. The antithesis to 'eques illustris' is 'eques modicus' or 'eques municipalis'<sup>4</sup>. A similar description is that of 'princeps equitum' which probably too had a general significance, though it would apply most naturally to the holder of one of the high equestrian 'praefecturae' and in particular the 'praefectura praetorio'<sup>5</sup>. Another expression

<sup>1</sup> Friedländer, *Staatsg.* 1. 249 f.

<sup>2</sup> Mommsen, *R. Sc. R.* iii. 1, p. 563 f.

<sup>3</sup> Tac. *Ann.* 4. 'Ca. Iulius Agricola vetere et illustri Forum-Lentensium cohortis certus circumque etrum procuratorem Caesaris habuit, quae equestris nobilitas est.'

<sup>4</sup> For a few of the numberless instances of this and similar phrases cp. Tac. *Ann.* II. 57; III. 58, 68; VI. 15; IV. 25; Pliny, *Epi.* VI. 11. 1 and 25. 1; Seneca, *Epi.* M. 101. 1; Dio, *LXII.* 11. 3; III. 25. 6, etc. The use of similar phrases in Republican times to distinguish the 'equestris equestris' from other knights (cp. Livy, *XXX.* 16; *XXX.* 18) is not inconsistent with this interpretation.

<sup>5</sup> See *Set.* VIII. 237 (not (Cicero) *novus Arpinas ignobilis et modo Eumeni magnopinans eques.*)

<sup>6</sup> Cp. Pliny, *Epi.* I. 14. 5 'pater Mammurius Martinius, equestris ordinis princeps, quis nihil altius valuit'; Cp. *Juv. Sat.* IV. 23 of Crispinus, 'cum princeps equitum'; *Well. Pacz.* II. 127 'sub his exempli T. Caesar Sempronius Aelium, princeps equestris ordinis patre novum ampliarem fiduciam habuit: auge habet' (his father was L. Sempronius Strabo, praedictus praetor 14 A.D., later praetor 16)

that requires explanation is found in Tac. *Ann.* xv. 17 'equites Romani dignitate senatoria,' a phrase applied to Mela and Crispinus. Of the two, Crispinus had been praetorian prefect and had received the insignia of the consulship: Mela had renounced the senatorial career and had chosen rather to devote himself to the Emperor's service, 'per ambitionem praeposteram, ut eques Romanus consularibus potentia aequaretur.' Willems is very probably right in explaining the 'senatoria dignitas' as a reference to the conferment of senatorial 'insignia'.<sup>1</sup> But even without such special distinction it was possible for a Roman knight to attain to a position of honour and importance, comparable to that conferred by curule office.<sup>2</sup>

The new equestrian career offered alluring prospects of financial success<sup>3</sup>, and a number of instances occur of men who preferred it to the more usual field of

Aegypti). Fronto ad Anton. Pium III. (Turbo Marcius and Erucius Clarus) 'qui duo egregii viri alter equestris, alter senatorii ordinis primari fuerunt.'

<sup>1</sup> Willems, *Le Droit Public Romain*, p. 409. Crispinus had received praetorian (Tac. *Ann.* xi. 4) and consular insignia (Tac. *Ann.* xv. 17). Such distinction is unattested in the case of Mela.

<sup>2</sup> Cp. Tac. *Ann.* iii. 30 on Crispus '...quamquam prompto ad capessendos honores aditu, Maecenatem aemulatus, *sine dignitate senatoria* multos triumphalium consulariumque potentia anteit.' Tac. *H.* iv. 53 'L. Iulius Vestinus equestris ordinis vir sed auctoritate famaque inter proceres' (he was prefect of Egypt 59-60 A.D.). Cp. Josephus. *Antiq. Jud.* 19. 1. 1 *οἱ ἵππεῖς μὲν καλούμενοι ἀξιώματι δὲ καὶ δυνάμει χρημάτων ὅμοια τοῖς συγκλητικοῖς ὑπὸ τῆς πολεως ἀγομένων, διὰ τὸ ἐκ τούτων εἰς τὴν βουλὴν ἐναι κατακλήσεις.* Cp. p. 59, note 4.

<sup>3</sup> Cp. Tac. *Ann.* xv. 17 (of Mela) 'simul adquirendae pecuniae brevius iter credebat per procurationes administrandis principis negotiis.'

ambition, offered by the senatorial 'cursus honorum'<sup>1</sup>, or who declined promotion to the Senate, when it was offered them<sup>2</sup>. Such 'praepostera ambitio' was not always acceptable to the Emperor, and we hear of Augustus, on one occasion, investigating the matter and compelling all knights, possessing senatorial census, to enter the Senate, only making an exception in favour of those who were physically unfit or over thirty-five years of age<sup>3</sup>. Claudius again 'senatoriam dignitatem recusantibus equestrem quoque ademit'<sup>4</sup>. The equestrian body was designed to form a training-ground for the Senate<sup>5</sup>, and it was not at all unusual for knights, who had distinguished themselves in the Emperor's service, to be raised by 'adlectio' to the Senate<sup>6</sup>. But, although in one sense the equestrian order was regarded as a recruiting-ground for the Senate, in another it stood beside it as a rival for political power. Whilst the Senate stood normally in a position of more or less disguised hostility to the Emperor, the

<sup>1</sup> Cp. the case of Cornelius Fusaeus, *Tac. H.* ii. 86.

<sup>2</sup> Minicius Macrinus, *Pliny, Ep.* i. 14. Cp. Maturus Arrianus, *Pliny, Ep.* iii. 2. 4; Terentius Junior, *Pliny, Ep.* vii. 25. 2.

<sup>3</sup> Dio, *Liv.* 26 (the whole chapter shows us that senatorial rank was felt to be a heavy burden). Mommsen, *R. StR.* iii. 1. p. 492, note 1, connects this passage with that in *Suet. Aug.* 38 (mox reddendi equi gratiam fecit, ff.), but hardly justifies his action. The agreement of the two passages as to an age-limit of thirty-five probably means no more than that Augustus did not require men, who were past that age, to bear the active burdens either of equestrian or of senatorial rank.

<sup>4</sup> *Suet. Claud.* 24.

<sup>5</sup> *Life of Alex. Sev.* 19 'adserens seminarium senatorum equestrem locum esse.'

<sup>6</sup> Cp. *C.* vi. 1359 'adlectus inter praetorios'; vi. 1564 and ii. 4114, etc., etc.

knights were attached by every interest to his person and had no political prospects apart from him. Hence it came, that, while the Senate was continually losing ground in its unequal contest with the Emperor, the knights were continually advancing in his service to ever greater importance in the administration<sup>1</sup>. In the third century, this change reached its natural conclusion. Representation of senatorial governors by knights became frequent, until finally Gallienus took the decisive step and definitely excluded senators from all military commands.

Before we proceed to discuss the financial and military posts in the Emperor's service, to which knights were called, we must say a word or two about their employment as jurymen. The seats on juries<sup>2</sup>, given by C. Gracchus to the knights, restored by Sulla to the Senate, and finally distributed in 70 B.C. by the 'Lex Aurelia' among senators, knights and 'tribuni aerarii,' were finally assigned by Augustus to the knights alone<sup>3</sup>. Augustus added a fourth 'decuria' and Gaius a fifth. The list of jurymen was now revised by the Emperor in connection with that of the knights<sup>4</sup>, from whose ranks the first three decurias had to be filled<sup>5</sup>. The

<sup>1</sup> Cp. *Life of Commodus*, 6, a certain Perennis 'bello Britannico militibus equestris loci viros praefecit, amotis senatoribus.'

<sup>2</sup> Cp. Mommsen, *R. StR.* III. 1. p. 527 ff.

<sup>3</sup> Caesar had already, in 46 B.C., excluded the 'tribuni aerarii,' Suet. *D. Jul.* 41 and Dio, XLIII. 25. 1. 2. The service was now felt more as a burden than as a privilege (cp. Suet. *Aug.* 32).

<sup>4</sup> Cp. Tac. *Ann.* III. 30 (L. Volusius Saturninus) censoria potestate legendis equitum decuriis functus (cp. Suet. *Tib.* 51, *Aug.* 39). Suet. *Tib.* 41 'regressus in insulam rei p. curam usque adeo abiecit, ut postea non decurias equitum unquam suppleverit.'

<sup>5</sup> Cp. evidence of inscriptions, *C.* II. 4211 'equo publico per

minimum age was fixed by Augustus at twenty<sup>1</sup>; under Augustus only Italians, later provincials as well, were admitted to the position<sup>2</sup>.

But the main positions, which Augustus designed that the knights should fill, were the officer-posts in the army<sup>3</sup>, and the chief posts in his financial administration. Out of these was evolved a sort of equestrian 'cursus honorum,' analogous to that of the Senate, but differing from it in this, that the knight's career, depending, as it did, mainly on the personal favour of the Emperor, was not so strictly regulated by rule and precedent. In harmony with the general Roman conception, that a man must serve his country in the field before he can serve her at home, the career always began with military service. The service however was limited to the higher officer-posts<sup>4</sup>; no knight could become a private or even a centurion<sup>5</sup> without surrendering his rank. We have already seen, that the knights originated as an active State cavalry, but in course of time ceased to answer this purpose, and were replaced by cavalry drawn from the allies. From this time on they served only as officers. In Rome, as in the ancient State generally, service on horseback was

Traianum, iudici dec. v.<sup>2</sup> iii. 8261 'eq. publ. de quinq. dec. etc. praef. fabr. trib. mil. ..praef. coh.' etc., etc.

<sup>1</sup> Suet. *Aug.* 32.

<sup>2</sup> Cp. Pliny, *N. H.* 33. 1. 30 of Augustus' time 'nondum provinciis ad hoc munus admissis.'

<sup>3</sup> Mommsen, *R. StR.* III. 1. p. 495 'the aim of Augustus in reorganizing the knights was primarily a military one.'

<sup>4</sup> Cp. Mommsen, *R. StR.* III. 1. p. 539 ff.; Madvig, *Kl. Philol. Schr.* p. 503 ff.

<sup>5</sup> See below for a discussion of such phrases as 'centurio ex equite Romano.'

considered more honourable than service on foot, a feeling reflected in the pay of the cavalry, which was three times that of the infantry. Hence officers were drawn, at first perhaps only by preference, but later exclusively from the cavalry, and this form of officer service for knights survived even after their ordinary military service had ceased. The service of the mounted officer is distinguished from that of the cavalryman, as 'militia equestris' from 'stipendium equestre.' To appreciate duly the meaning of the 'militia equestris' under the Empire it will be necessary to consider it in its growth and development<sup>1</sup>. The evidence lies mainly in inscriptions, and, as a vast number of these do not admit of even approximate dating, some points must be left unsettled. Still, enough is certain to enable us to sketch at least the outlines. In the early Empire the 'praefectura cohortis' held no regular place in the knight's military service. Knights regularly served as 'tribuni militum legionis' and as 'praefecti alae.' The order of precedence for these two posts was as yet undetermined; sometimes one, sometimes the other appears as the higher post<sup>2</sup>. Claudius was the first to introduce system into the 'militiae equestres'<sup>3</sup>. But the order which he established, 'praefectus cohortis,' 'praefectus alae,' 'tribunus militum,' is only found in two inscriptions<sup>4</sup>, and henceforward the 'praefectura alae' always

<sup>1</sup> For the 'militiae equestres' cp. Domaszewski, *Bonner Jahrbücher*, 1908, 'Die Rangordnung im Römischen Heere.'

<sup>2</sup> For trib. mil., praef. alae, cp. *C. xi.* 711 (before 14 A.D.), x. 6101 (c. 20 A.D.); for praef. alae, trib. mil. cp. *L'Ann. Ép.* 1902. 189 (before 14 A.D.), *C. xii.* 2455 (c. 25 A.D.).

<sup>3</sup> Suet. *Claud.* 25.

<sup>4</sup> *C. xiv.* 2960, and prob. v. 4058.

ranks as the higher post; we must therefore assume that his order very soon underwent alteration. From about the time of Trajan onwards the order 'praefectus cohortis,' 'tribunus militum,' 'praefectus alae,' becomes more and more common, the service becomes more and more professional, and titles such as 'omnibus equestribus militiis functus'<sup>1</sup> come more and more into vogue for the knight who had served in the army. At first we hear of three 'militiae,' later however of four, and it is a vexed question what those four precisely were. Mommsen is probably right in suggesting that the numbers allude not to three or four definite and separate military posts, but to the regular *number* of posts which a knight was expected to hold<sup>2</sup>. We meet with the four in place of the three 'militiae' from about the time of Septimius Severus onwards, and the change probably stands in some connection with the raising of the period of service for the common soldier. Even accepting Mommsen's view, however, we may still hold that the 'praefectura cohortis' would normally be the first, the 'tribunatus militum' the second, and the 'praefectura alae' the third, 'militia'.<sup>3</sup> The 'tribunatus cohortis' seems to have stood on the same level as the 'tribunatus militum.' Other 'militiae eques-tres' were probably the 'praefectura castrorum,' and possibly the command of the cavalry of the legion<sup>4</sup>.

<sup>1</sup> Cp. *C. iii.* 1198, *V. 8659.*

<sup>2</sup> Mommsen, *R. S. R. iii.* 1, p. 549, note 1.

<sup>3</sup> Cp. 'praef. coh.' as 'prima militia' *C. xiv.* 2947, 'trib. coh.' as 'secunda militia' *C. vi.* 2131, 'praef. explorat.' as 'quarta militia' *C. xiii.* 6814.

<sup>4</sup> Domaszewski (*loc. cit.* p. 47) holds that this officer is to be recognized in the 'tribunus sexmenstris': he was called 'sexmenstris'

The sons of senators, starting their career as knights, also began with service in the army, but held as a rule only one of the 'militiae equestres,' the 'tribunatus militum'<sup>1</sup>. The title 'praefectus fabrum' frequently occurs on inscriptions of knights. It denoted originally an actual army post, but in course of time lost its military significance and continued to exist merely as a mark of honour, frequently conferred on aspirants to the equestrian career. It disappears entirely from inscriptions at about the beginning of the third century.

The military career of the knight was also varied by appointments to special commands ('praepositus vexillationibus' and others), interrupting the series of his regular 'militiae equestres,' but apparently not materially affecting his military career<sup>2</sup>.

We noticed above in passing, that a knight could only serve as officer, not as common soldier or even as

because of his pay (half that of an ordinary tribune) and was attached to the staff. In support of his view Domaszewski quotes *C. II. 5682*, 'L. Campilo Paterno equiti [ori]undo Aquae Flaviae opt. trib[uni] militum leg.,' etc., which according to him proves that this tribune was a cavalry commander; but the stone gives us 'secundo,' which, *pace* Domaszewski, makes quite good Latin. The old view (Mommsen, *R. StR. II. 539 ff.*) was, that the 'tribunus sexmenstris' was an ordinary tribune, who as a special privilege was allowed to escape with six in place of twelve months' service.

I am inclined to follow Domaszewski in regarding the 'tribunus sexmenstris' as a staff-officer on half-pay. But his connection with the cavalry remains unproved, and Statius, *S. v. I. 95-6*, 'pandere quis centum valeat frenare maniplos Inter missus eques,' has no reference to him. Cp. below, p. 72 and note 5.

I have placed this discussion in a note, owing to the uncertainty of the subject.

<sup>1</sup> Cp. *Suet. Aug. 38*. Augustus bestowed the 'praefectura alae' on them as well as the 'tribunus militum.'

<sup>2</sup> Cp. *C. III. 1464, viii. 619*.

centurion. There was, therefore, in the Roman army a sharp division between soldiers and, so to say, non-commissioned officers on the one hand, and commissioned officers on the other; the careers were different and the men were drawn from different classes. But in the early Empire the line of distinction had not yet been clearly drawn; the 'primipilus' can advance to a 'praefectura cohortis' or 'castrorum,' a 'tribunatus militum' or a 'praefectura equitum.' With Claudius this form of promotion ceased. The three posts of the 'militiae equestris' were reserved for knights; if promoted, the 'primipilus' now advances to the 'tribunatus cohortis vigilum, cohortis urbanae, cohortis praetoriae.' He then holds a second primipilate (pp. *bis*)<sup>1</sup>, and frequently advances from that to procuratorial posts. Here then it would seem the gap between the two careers was bridged. The explanation is probably simply this. On retiring the primipilus received a handsome donative amounting to ten times his yearly pay<sup>2</sup>; this sum (600,000 HS) would at once ensure him equestrian rank<sup>3</sup>, provided that he had the qualification of birth and character and met with the Emperor's approval. In a case like this then, the primipilate marks the end of the one career; acquiring equestrian rank, the man enters on a new career as officer. From the time of Claudius on, the equestrian posts of 'praefectura cohortis,' 'tribunatus militum,' and 'praef-

<sup>1</sup> Cp. Domaszewski (*op. cit.* p. 112 ff.), who regards this 'pp. *bis*' as the higher of the two primipilates of the legion, and as being virtually a post on the general staff at Rome.

<sup>2</sup> Cp. Suet. *Gaius*, 44. Vegetius, II. 21, speaks of the 'infinita commoda' of the rank.

<sup>3</sup> Cp. Martial, vi. 58 'et referes pili praemia clarus eques.'

fectura alae' were reserved for young knights starting their career. The tribunates of the 'vigiles,' 'cohortes urbanae' and the praetorians were kept for men, who, before becoming knights, had worked their way up to the primipilate<sup>1</sup>.

We have stated above that a knight could not as such hold a centurionship. Domaszewski, while admitting the statement as true in the main, declares there was a specially privileged class of centurions to which a knight could belong, but this is certainly only true of the third century; Domaszewski's own evidence goes against him<sup>2</sup>.

To become a centurion, therefore, a knight must resign his rank, and hence, in such cases, we find formulae such as 'centurio ex equite Romano'<sup>3</sup> employed. But what could be the motive for such a step? The usual answer given is, that men did so in order to gain military experience. This is probably part of the truth. But to make the explanation complete one must add, that the three ordinary 'militiae equestres' were certainly not open to every aspirant, and that, if a knight wished for a post in the army at all, he can often have had no other course than to start as 'centurio.' In such cases he approached the Emperor with

<sup>1</sup> In order to hold the second primipilate, the man had presumably to make a temporary surrender of his rank.

<sup>2</sup> Cp. for third century *C. x.* 5064, *xii.* 1836. Domaszewski, *op. cit.* p. 81, quotes *C. xi.* 5992 (c. 100 A.D.), a centurion '*translatus ex militia in equestrem dignitatem*,' and observes 'there is no sign of his resigning his centurionship'! For the point in general cp. Suet. *Galba*, 10 'delegit et equestris ordinis iuvenes qui, *manente anulorum aureorum usu*, evocati appellarentur, excubiasque...agerent.'

<sup>3</sup> *C. viii.* 14698, *iii.* 750, 1480, etc. Dio *lxxii.* 25 *οἱ δὲ ἀρχῆσις ἐκαπονταρχήσαντες.*

a petition for a centurionship<sup>1</sup> and, though even here the petition might be unsuccessful, it must have stood a much better chance of success than a petition for, say, a 'praefectura cohortis.' There was still the prospect of rising to the primipilate and again from the primipilate to equestrian rank and the 'militiae equestres.' This, if true, will give an excellent point to the passage in Juvenal (*Sat.* xiv. 193 ff.). The young man in question will be a knight, who would naturally hope to use the office of centurion as a step to higher prospects<sup>2</sup>. Juvenal ironically suggests that, as the reward of a long and strenuous life in the camps, he will attain at the age of sixty to—the primipilate, a post to which a centurion risen from the ranks might aspire<sup>3</sup>.

<sup>1</sup> Suet. *De Grammat.* 24, M. Valerius Probus Berytius 'diu centuriatum petiit, donec taedio ad studia se contulit.' Cp. Statius, *S. v.* 1. 96 'quis centum valeat frenare maniplos Inter missus eques.' Probably the centurion, not the 'tribunus sexmenstris' (Domaszewski), is meant.

<sup>2</sup> Cp. *C. x.* 5829. The man starts as a knight and holds the 'praef. coh.' and 'trib. mil.' He distinguished himself in Trajan's Parthian war, and then became centurion in two legions, p.p. in a legion, 'praep. vexill.,' 'trib. coh. vig.,' 'coh. urb.,' 'coh. praet.,' 'p.p. bis,' 'proc. provinciae Narbonensis.' There can be no question of degradation, and yet a man who has already been 'trib. mil.' consents to take the rank of centurion. The only explanation can be that the military career had its attractions and might open up better prospects than the ordinary advancement through 'praef. coh.' 'trib. mil.' 'praef. alae.' In this and many other cases the temporary resignation of equestrian rank, though implied, is not explicitly stated.

<sup>3</sup> Juv. *loc. cit.*

'aut vitem posce libello

dirue Maurorum attegias, castella Brigantum,  
ut locupletem aquilam tibi sexagensimus annus  
adferat.'

Appointment to the 'militiae equestres' was made by the Emperor through his secretariat, the bureau 'ab epistulis'<sup>1</sup>, nominally for one year only, naturally often renewed. It seems probable, however, that a certain number of these posts were placed at the disposal of senatorial governors<sup>2</sup>. The qualifications were the same as those for equestrian rank, but the candidate was required to be already a knight, holding the 'equus publicus,' the mark of imperial recognition. These posts were often not treated seriously, and were regarded merely as the beginning of a career<sup>3</sup>. In connection with this we may quote the purely titular form of service introduced by Claudius<sup>4</sup>. The 'tribunatus semestris,' which brought with it the right to discharge after a year's or rather after six months' service, was regarded as a great privilege<sup>5</sup>. Ordinarily

For the turn of thought cp. *Juv. Sat.* x. 166 ff. (of Hanuibal) :

'i demens et saevas curre per Alpes,  
ut pueris placeas et declamatio fias.'

I am indebted for this suggestion to Mr Lendrum of Gonville and Caius College.

Duff in his edition regards the youth here spoken of as a member of the 'plebs.' A knight starting as centurion, he argues, could not possibly spend his whole life in that position. But cp. *C. vi.* 3584, a knight who became a centurion was seven times promoted, and died at the age of 41, without even reaching the *primipilatus*.

<sup>1</sup> Cp. Statius, *S. v.* 1. 94 ff. Cp. Suet. *Aug.* 38 and 46, Dio *lxxii.* 15. 2. Suet. *Claud.* 25.

<sup>2</sup> Pliny, *Epp. iii.* 8. 1; he obtains a tribunate for Suetonius from Neratius Marcellus, 'vir clarissimus.'

<sup>3</sup> Cp. Tac. *Agri. 5*; *Juv. Sat. i.* 58.

<sup>4</sup> Suet. *Claud.* 25.

<sup>5</sup> Cp. Mommsen, *R. StR. iii.* 1. 550 and note 3. *Juv. Sat. vii.* 88 ff.

'ille et militiae multis largitur honorem,  
semenstri digitos vatum circumligat auro'

(where Mommsen's explanation hardly seems to suit the rhythm);

an officer might serve for several years in the same post, with nothing to determine the duration of his office except the Emperor's good pleasure. In the Early Empire, at any rate, the 'militiae equestres' were valued not so much for providing a career in themselves, as for opening the door to the lucrative civil appointments in the Emperor's service. The way to these lay at first only through military service, and it was not till after Hadrian, that it was possible to reach them by purely civil employment. No regular rule seems to have existed, to determine the length of time a man must serve, before he could obtain promotion to a procuratorial post. Sometimes advancement comes after the holding of a single post<sup>1</sup>, sometimes only after a long and varied military service<sup>2</sup>. There seems however to have been a distinct connection between the rank of a man's military post, and that of the procuratorship to which he was promoted; for instance, we find promotion from 'praefectus alae' leading to higher posts than promotion from 'praefectus cohortis.' The lists drawn up by Liebenam (*Beitr. zur Verw. G.* p. 116 ff.) give some idea of the relations between the military and civil posts, but a glance will make it clear that we cannot look for absolute uniformity of advancement. Domaszewski however, proceeding on the fair assumption that the relative rank of these posts was

Pliny, *Ep.* iv. 4. 2. *C.* ix. 4885 and 6 tri[b]. sem[enstris] and praef. semens[tris].

<sup>1</sup> *Cp. C.* iii. 249, 726, etc., etc.

<sup>2</sup> *Cp. C.* iii. 5211 'praef. coh., trib. leg., praef. eq. al., praef. auxiliariorum tempore expeditionis in Tingitaniam missorum, praef. al. Britannicae militar(iae).' v. 875 praef. coh. (3 times), trib. mil., praef. eq. alae, and many others.

determined by the salaries attached to them, has attempted to point out the regular order of promotion, and, in so far as I have been able to check his results, they certainly hold good<sup>1</sup>. Sometimes one 'militia' only was held. For advancement from 'praefectus cohortis' to a procuratorship, we may compare *C. XIII. 1807*<sup>2</sup>, from 'trib. mil.' *C. XI. 5673*, II. 2479<sup>3</sup>, from 'praef. alae,' XII. 408<sup>4</sup>, and many other inscriptions given by Liebenam. At other times the man held two in succession, either 'praef. coh., trib. mil.'<sup>5</sup>, or 'trib. mil., praef. alae'<sup>6</sup>. The bestowal of a procuratorship immediately after the primipilate should probably be regarded as exceptional<sup>7</sup>.

The nature of the relation between the military and the civil service of the knights is well brought out by Hirschfeld<sup>8</sup>. In the Early Empire, the service in the army was regarded mainly as a preliminary training for the civil career; but in course of time, the conception of the relation changed, and, after Septimius Severus, we find procuratorships treated as rewards for good service and as pensioning posts for discharged officers. But this later development lies outside the

<sup>1</sup> Domaszewski, *op. cit.* I think he has certainly placed the whole inquiry on a new and more satisfactory basis.

<sup>2</sup> This advancement is rare. Cp. *C. XIV. 3955* 'proc. Aug., praef. fabr., praef. coh., praef. coh. iterum, censitor civium Romanorum coloniae Victricensis quae est in Britannia Camaloduni, curator viae Nomentanae.'

<sup>3</sup> *C. XI. 5673* 'trib. milit. proc. provine. Afric.'

<sup>4</sup> *C. III. 12299* 'praef. a[la]e Taur. proc. A[u]g. Epri.'

<sup>5</sup> *C. III. 1464*, 6065.

<sup>6</sup> *C. III. 6075*, v. 2160.

<sup>7</sup> Cp. *C. II. 1178*, 1267.

<sup>8</sup> Cp. *K. VB. p. 423 ff.*

limits of this sketch, and in the first two centuries the civil side of the knight's career still predominated over the military.

The financial posts, to which knights advanced after their service as officers, were probably very limited in number at the start; for, of the numerous procuratorships which are found later, many were subsequently created, while others again were at first regularly filled by freedmen. To see the equestrian civil service in its widest extent, we must go down to about the time of Septimius Severus, when it had reached its full development and had not yet begun to fall into decay. A brief sketch of the various posts will give the best idea of the breadth of the sphere in which knights were employed<sup>1</sup>.

The chief officer of the 'fiscus,' the 'a rationibus,' was at first always a freedman; but, in harmony with the change, first suggested by Vitellius, and finally carried into action by Hadrian, the office passed to the knights and now took its place as the head procuratorship, with the title 'proc. a rationibus'.<sup>2</sup> The 'procurator summarum rerum,' who first appears in the second half of the second century, was probably an assistant of the 'proc. a rationibus,' and may have been first appointed by M. Aurelius. He may be regarded as the successor

<sup>1</sup> For the whole of the following section Hirschfeld (*op. cit.*) is the main authority and we must refer to the corresponding chapters in his book.

<sup>2</sup> *C. vi.* 1599, 1620, 1626, etc.; but freedmen, sometimes bearing the old title 'a rationibus,' still occasionally occur. *Cp. C. xiv.* 2104. For the duties and rank of this office see below. The title 'procurator fisci' was never in official use. For the title 'rationalis' in the third century *cp. C. vi.* 1585.

of the earlier 'curarum socius,' mentioned by Statius<sup>1</sup>. Schurz, in his essay on the reforms of Hadrian, suggests that the 'proc. summarum rationum' was in charge of the less important fiscal revenues from the senatorial provinces, whilst the revenues of the imperial were under the 'proc. a rationibus'.<sup>2</sup> Of the 'procuratores provinciarum,' who were certainly among the earliest to be appointed, more will be said in the following chapters. Their number was naturally continually increasing with the addition of fresh provinces, such as Cappadocia, Thrace and Arabia, to the Empire. The office of 'advocatus fisci,' first instituted by Hadrian<sup>3</sup>, though not itself a procuratorship, formed a regular step to the career. It is highly probable, though not certain, that Hadrian appointed them in the provinces as well as at Rome. From about 200 A.D., at any rate, they appear in the various special branches of administration<sup>4</sup>. We must distinguish two classes,

(a) men retained by the Emperor for a fixed salary to defend the interests of the 'fiscus';

(b) men called upon to undertake its cause in special cases, but drawing no definite salary.

In connection with the 'patrimonium' procurators are found from the time of Claudius onward<sup>5</sup>. Their rank seems not to have been so high in the second

<sup>1</sup> Statius, *Silvae*, III. 3. Cp. Septumanus 'adiutor' of Cosmus 'a rationibus'; *C.* ix. 2438.

<sup>2</sup> Schurz, *De mutat...ab imp. Hadriano factis*, p. 34 ff. At any rate Marquardt, *R. StV.* II. 308, is wrong in identifying this official with the 'proc. a rationibus.' A comparison of their place in men's careers proves the latter to have been the higher office.

<sup>3</sup> *Life of Hadrian*, 20. 6 'fisci advocatum primus instituit.'

<sup>4</sup> Cp. for instance *C.* viii. 1439, 'fisci advocato codic[il]lari stationis heredi[ta]tum et cohaerentium.'

<sup>5</sup> Cp. oldest inscription of one, *C.* vi. 8501.

century as it had been in the first<sup>1</sup>, and, after the foundation of the 'res privata' by Septimius Severus, it fell still lower; no mention of the office in Rome or Italy occurs later than Caracalla. The 'procuratores rei privatae' were first appointed by Septimius Severus, to administer his personal property, which he separated from the administration of the 'patrimonium.' The chief officer of this department at Rome, the 'procurator,' later the 'magister rei privatae,' soon came to occupy a high position and, as the recipient of a salary of 300,000 HS, stood in rank beside the 'proc. a rationibus.'<sup>2</sup> Procurators also occur in this administration in Italy<sup>3</sup>, and the provinces<sup>4</sup>. For the collection of the 'bona damnatorum,' which Septimius Severus claimed for the 'res privata,' a number of special procurators were appointed<sup>5</sup>, who are to be regarded as subordinates of the 'procurator rei privatae.'

The history of the mode of collection of the indirect taxes is particularly interesting, and much fresh light has been thrown on it by Rostowzew in a recently published thesis<sup>6</sup>. It is the history of the gradual substitution of direct for indirect collection; but the passage from the one system to the other seems only to

<sup>1</sup> Cp. knights in this part *C.* xi. 5028 (prob. under Vitellius), vi. 798 (under Domitian).

<sup>2</sup> Cp. *C.* x. 6569 'S. Varius Marcellus, proc. ration. privat. ccc.'

<sup>3</sup> Cp. *C.* iii. 1464 'proc. stat. privat. per Tusciam et Picenum.' viii. 822 'proc. priv. per Salariam, Tiburtinam, Valeriam, Tusciam.'

<sup>4</sup> Cp. *C.* iii. 1456 'proc. rat. priv. prov. Maur. Caes. item per Belgic. et duas Germanias,' xiii. 1807.

<sup>5</sup> Cp. *C.* iii. 1464 'proe. ad bona Plautiani'; xi. 6337 'pro[e]. b[onorum] damnatorum.'

<sup>6</sup> *Geschichte der Staatspacht in der römischen Kaiserzeit. Philologus*, Suppl.-band ix. (Leipzig, 1904), esp. from p. 367 on. Cagnat, *Imp. Ind.*, is also very helpful.

have taken place gradually and at different periods in different branches. Each 'vectigal' was handled separately, and intermediate stages between the two systems can be distinctly traced. During the whole of the first century A.D., the old Republican companies of 'publicani' seem to have continued in existence<sup>1</sup>. Their power, it is true, was already strictly limited; procurators were already being appointed to control them, and, with a better knowledge of the tax-paying powers of the provincials and a better will to protect them against unfair extortions, the Emperors succeeded in confining their gains within reasonable limits. After the end of the first century all traces of the old companies cease<sup>2</sup>, and there appear in their place 'conductores,' not, like them, purely private speculators, who paid a lump sum for the 'vectigal' in question, and farmed it at their own risk and for their own profit, but men who were in a sense imperial officials and undertook to raise the revenues for a fixed payment, and who in some cases bear the title of 'procurator Augusti.' Rostowzew traces the following stages in the development of the system of collection:

(i) We find companies of farmers, controlled to some extent by an imperial procurator.

(ii) These companies are replaced by the 'conductor,' whose semi-official character comes at last to be recognized in the title of 'proc. Aug.'

<sup>1</sup> At least for the indirect taxes. *Cp. C. viii. 1128* 'Socii IIII. p[ublicorum] Africae.' *C. vi. 915* 'publici xx libertatis et xxv venalium.'

<sup>2</sup> Cagnat, *Imp. Ind.* p. 89, makes them last at least as late as M. Aurelius.

(iii) The 'conductor' himself disappears, and the imperial procurator raises the money through his own immediate subordinates.

The points here brought forward can be best illustrated by a discussion of the individual 'vectigalia.'

For the 'portoria' the change is particularly well attested. For Sicily, we find in an inscription of the year 104, a 'promagister portuum provinciae Siciliae'<sup>1</sup>; his subsequent career shows that he must have been an imperial official, and Rostowzew regards him as holding an intermediate position between tax-farmer and procurator<sup>2</sup>. In Africa, Q. Saenius Pompeianus, the 'conductor IIII p[ublicorum] A[fricæ]<sup>3</sup>', was, as Fronto proves<sup>4</sup>, clearly dependent on the Emperor. In Gaul, imperial control is proved by the inscription of a 'p[roc]. Aug. inter mancipes XL. Galliarum et negotiantes'<sup>5</sup>, dated about the end of the second century. But both in Gaul and Africa direct collection seems to have been introduced by about the year 200<sup>6</sup>. The process of development is however most clearly marked for the collection of the Illyrian customs-duties. Evidence here for companies of 'publicani' is entirely lacking; only 'conductores' appear<sup>7</sup>. Very striking

<sup>1</sup> *C. III. 6065.*

<sup>2</sup> Rostowzew, *op. cit.* p. 393; in many cases the old names may have been taken over from the 'publicani' companies.

<sup>3</sup> *C. VI. 8588. Cp. VIII. 997.*

<sup>4</sup> Fronto ad Marcum, v. 34, 'cum ratio eius a domino nostro patre tuo tractabitur.'

<sup>5</sup> *C. VIII. 11813.*

<sup>6</sup> Cp. for Gaul, *C. VIII. 822* 'vice proc. quadrag. Galliar.'; for Africa, *C. VIII. 14454* 'proc. ducen. IIII. publ. prov. Afr.' (his salary is too high for a mere overseer-procurator).

<sup>7</sup> Rostowzew, *op. cit.* p. 398.

are the inscriptions of C. Antonius Rufus; he appears as 'c[onductor] p[ublici] p[ortorii]<sup>1</sup>', as 'proc. Aug.<sup>2</sup>' and as 'praef. veh. et cond. pp.<sup>3</sup>' Whether or no he actually, as 'conductor,' bore the title 'proc. Aug.', there can be no doubt that he was in the Emperor's service. The three Julii<sup>4</sup>—T. Julius Capito, Julius Januarius and Julius Epaphroditus—were probably the last 'conductores' of the Illyrian tolls, for direct collection was introduced before the year 182 A.D.<sup>5</sup> The Illyrian district was a vast one, and, as a rule, these 'conductores' exercised their functions in parts of it only; the three Julii however were active in the whole district. For Asia, the same course of development is attested by the inscription of an *ἀρχώνης μ λι[μ]ένων Ασίας και ἐπι[τ]ροπος Σεβ.*<sup>6</sup>

In general then, in connection with the 'portoria,' we find procurators of two kinds:

(a) in the early period, procurators as controlling officers;

(b) in the later (roughly from about 200 onwards), procurators collecting the taxes directly. To which of these two classes a procurator belongs, is not always easy to decide, and, where the date is uncertain, must generally be left an open question<sup>7</sup>.

Direct collection of the 'vicesima hereditatium' was

<sup>1</sup> *C. v.* 820 (doubtful).

<sup>2</sup> *C. iii.* 5117.

<sup>3</sup> *C. iii.* 13283.

<sup>4</sup> *Cp. iii.* 6124, and 753.

<sup>5</sup> *Cp. C. iii.* 752, where imperial slaves under a 'procurator' appear. <sup>6</sup> *Rostowzew, Arch-epigr. Mittheil.* 19. p. 136.

<sup>7</sup> For 'procuratores xl. Galliarum' *ep. C. viii.* 8328 (211—212 A.D.); *viii.* 822 (222—234 A.D.); *L'Ann. Ep.* 1905. 152 (uncertain date) and 1907. 152 (167—9 A.D.); for 'proc. iii. publicorum Africæ' *ep. C. x.* 6668 (date uncertain); for 'proc. vectigalis Illyrici' *ep. C. iii.* 7127.

probably introduced by Hadrian. We have conclusive evidence down to the time of Trajan of its being farmed out<sup>1</sup>: later, such evidence is wanting. To this may be added the fact, that in the first century the examples of procurators in this branch are rare<sup>2</sup>, whereas in the second and third centuries they appear in amazingly large numbers. We find a central bureau in Rome, occupied with the general administration of the tax<sup>3</sup>, a special bureau for the collection of the tax in Rome<sup>4</sup>, and, further, numerous procurators for districts of Italy<sup>5</sup>, and for various combinations of provinces<sup>6</sup>. The procurators were as a rule knights, only by way of exception freedmen. For the 'vicesima libertatis,' which, under the Republic and Early Empire<sup>7</sup>, was farmed out to companies, we find, from the time of Claudius onward, a special imperial chest, the 'fiscus peculiorum et libertatis'<sup>8</sup>, under imperial officials. Procurators do not

<sup>1</sup> Cp. Pliny, *Paneg.* 37, *Epp.* vii. 14, 1, 'quanti a publicanis partem vicesimam emisti' (but, according to Rostowzew, this 'vectigal' was never a 'publicum' and the word 'publicanus' is therefore incorrectly applied).

<sup>2</sup> Cp. *C.* vi. 8443 'Ti. Claudius Aug. libertus Saturninus proc. xx. here[ditatium] provinciae Achaiae.'

<sup>3</sup> Cp. *C.* v. 8659; xiii. 1808.

<sup>4</sup> Cp. *C.* xiii. 1808 'proc. xx. hereditat. Roma[e].'

<sup>5</sup> Cp. Hirschfeld, *K. VB.* p. 101, note 4. Cagnat, *op. cit.* p. 204 ff.; cp. for example *C.* xiv. 2922 'Umbria, Tuscia, Picenum, regio Campaniae.'

<sup>6</sup> Cp. Hirschfeld, *op. cit.* p. 102, note 1. Cagnat, *op. cit.* p. 209 ff.; cp. for example *C.* v. 8659 Hispania Citerior; xii. 671 Narbonensis, Aquitania, Belgica; x. 7584 Pontus, Bithynia, Pontus Mediterraneus, Paphlagonia.

<sup>7</sup> For these 'vicensumarii' (*εικοστώναι*) cp. *C.* vi. 8587 'Carpus socior[um] vicens[imae] [servus],' and many others.

<sup>8</sup> Cp. for instance, *C.* vi. 8450<sup>a</sup> 'Ti. Claudio Aug. lib. Primiano tabul. [f]isci [lib.] et peculiorum.'

appear in the inscriptions until about the reign of Antoninus Pius<sup>1</sup>. 'Procuratores hereditatum,' engaged in the administration of the inheritances bequeathed to the Emperor, already appear in the first century, but the position of the office, which was regarded as nothing more than a branch of the 'patrimonium,' was a very modest one. After Hadrian, on the other hand, it attains a new importance and is exclusively given to knights, who now draw a salary of 20,000 HS. Hirschfeld suggests that this increase in dignity was directly due to a widening of its functions; the oversight over the 'bona vacantia' and 'caduca' was probably added to the duties of these procurators. Procurators of the imperial domains are found from the beginning of the Empire, but increase in numbers in the second century. The landed property of the Emperors was continually being extended by inheritance, purchase or confiscation<sup>2</sup>, and, in some provinces, Africa and Asia for example, it came to include a large percentage of the total area. Of this land, part belonged to the 'fiscus,' part to the 'patrimonium,' and later also to the 'res privata,' and, with this distinction, varied the character of the procurator who was charged with its administration. Two modes of administration were in vogue:

- (a) it was managed directly by imperial procurators and their subordinates;
- (b) it was let out on lease to 'conductores,' who sublet it in small holdings to 'coloni.' In this case,

<sup>1</sup> Cp. *C. vi.* 8450 'T. Ael. Augg. lib. Saturnin[us] proc. fisci libertatis et peculior[um].'

<sup>2</sup> Cp. again Hirschfeld in *Klio*, II. pp. 45—70 and 284—315.

imperial procurators were placed by the side of the 'conductor,' to control his relations with the small holders. Into the interesting questions that arise in reference to this system, we cannot here enter in detail. Suffice it to say, that in this institution of 'coloni' on the imperial domains is probably to be sought the origin of the later colonate, under which the 'colonus' appears no longer as a small holder, paying rent in money, holding under lease and at liberty to leave at the expiry of his term, but as a labourer, paying rent in kind and, though personally free, bound to the soil<sup>1</sup>. In provinces, where the domains were considerable in extent (e.g. in Africa), different classes of procurators are found, (a) 'procuratores' of 'tractus,' or large districts, including a number of separate domains<sup>2</sup>; (b) 'procuratores' of 'regiones' (provinciae) or smaller districts<sup>3</sup>; (c) 'procuratores' of 'saltus' or single domains<sup>4</sup>. The first two classes of procurators were mainly knights, the third class freedmen. The answer to the question, how far the domains were administered by the 'procuratores provinciarum,' must be left to the following chapter. The old State land, the 'ager publicus,' also came gradually into the hands of the Emperor, and a few instances occur of procurators, who were probably engaged in its adminis-

<sup>1</sup> Cp. here Pelham, *The Imperial Domains and the Colonate* (inaugural lecture), (Henry Frowde, 1890).

<sup>2</sup> Cp. Schulten, *Die röm. Grundherrschaften*, p. 58 ff.; cp. for 'proc. tractus Carthag.' *C.* viii. 11163, 14763; for 'proc. tractus Hadrumetini,' viii. 7039, 11174.

<sup>3</sup> Cp. *C.* xiii. 1684 'eui divus Aurel. Antoninus centenarium pro-  
curation[em] prov. Hadrymetinae dedit.'

<sup>4</sup> Cp. viii. 10570, inscription of the 'Saltus Burunitanus.'

tration<sup>1</sup>. As the mines passed more and more into imperial possession<sup>2</sup>, procurators are attested in ever increasing numbers for the mines of Spain, Dalmatia, Pannonia, Dacia and other provinces<sup>3</sup>. For the mint, 'procuratores monetae' of equestrian rank can be traced from the time of Trajan<sup>4</sup>. In the administration of the 'alimenta,' first founded by Nerva and Trajan, procurators were employed, but only in subordinate positions. They are of two classes, (a) procurators of special districts in Italy, and (b) 'procuratores ad alimenta' or 'ab alimentis' without further definition<sup>5</sup>, the first concerned with the finance of their district, the second probably subordinates of the central 'praefectus alimentorum' in Rome. In connection with the imperial corn-supply, we find, after Claudius, a 'procurator portus Ostiensis' in charge of the port of Rome<sup>6</sup>, and later, a 'proc. annonae' or 'ad annonam Ostiis,' who was a knight and drew a salary of 60,000 HS<sup>7</sup>. In Rome itself, imperial officials occasionally occur, in connection with streets, public buildings, and the like; thus we find a 'proc. ad ripas Tiberis'<sup>8</sup> in the reign of Claudius, and a 'proc. operum publicorum'<sup>9</sup> in the year 193. The 'procuratores aquarum,' who were

<sup>1</sup> *C. viii.* 18909 'procurator Augg. nn. ad fu[net. fru]menti et res populi per tr[actum] utriusque Numidiae'; *iii.* 249 'procurator vectigalior. popul. R. quae sunt citra Padum.'

<sup>2</sup> Cp. Hirschfeld, *K. VB.* p. 145 ff.

<sup>3</sup> Cp. e.g. *C. iii.* 7127 'proc. argentar. Pannon. et Dalmat.' x. 7584 'proc. Augg. ad vectig. [fer]r. Gallic.' Cp. *ii.* 5181, the 'lex metalli Vipascensis' (in Spain).

<sup>4</sup> Cp. *C. viii.* 9990 (102—114 A.D.) *vi.* 1607 (137—160 A.D.).

<sup>5</sup> Cp. Hirschfeld, *K. VB.* p. 221 ff.

<sup>6</sup> *C. xiv.* 163.

<sup>7</sup> *C. xiv.* p. 7, note 6; *viii.* 20684.

<sup>8</sup> Cp. *C. I. Gr.* *iii.* 3991.

<sup>9</sup> *C. x.* 6657, *K. VB.*

employed in connection with the aqueducts, were subordinates of the 'curator aquarum,' and were at first exclusively freedmen, but after the time of Trajan occasionally knights<sup>1</sup>. Yet another class of procurators is found for the imperial schools of gladiators, for the 'ludus magnus'<sup>2</sup> and 'ludus matutinus'<sup>3</sup> at Rome, and for various schools in the provinces<sup>4</sup>. The 'procurator a muneribus' and probably also the 'a voluptatibus' were employed in connection with the imperial games and shows<sup>5</sup>. The libraries too were placed under 'procuratores bibliothecarum'<sup>6</sup>, and the imperial household employed a large number of procurators, who were however purely private servants of the Emperor and were recruited from the ranks of the imperial freedmen. For the imperial post, which Augustus had already established<sup>7</sup>, Hadrian instituted equestrian officers, 'praefecti vehicularum,' and at the same time made it a public institution over the whole Empire<sup>8</sup>. For the time, we can trace only one such officer, with his seat in Rome, but, from the reign of Marcus Aurelius, separate 'praefecti' for special districts occur<sup>9</sup>. The

<sup>1</sup> Hirschfeld, *K. VB.* p. 281.

<sup>2</sup> Cp. *C. xiv.* 2922.

<sup>3</sup> Cp. *C. xiv.* 160 and 2922.

<sup>4</sup> Cp. *C. iii.* 249 'Galliae, Britannia, Hispaniae, Germaniae, Raetia, and Asia, Bithynia, Galatia, Cappadocia, Lycia, Pamphylia, Cilicia, Cyprus, Pontus, Paphlagonia'; x. 1685 'procur. ludi famil. glad. Caesaris Alexandreae ad Aegyptum.'

<sup>5</sup> Cp. Hirschfeld, *K. VB.* p. 295 ff.

<sup>6</sup> Cp. *C. iii.* 431; *viii.* 20684.

<sup>7</sup> Suet. *Aug.* 49.

<sup>8</sup> *Life of Hadrian*, 7 'Statum (so read instead of 'statim') cursum fiscalem instituit, ne magistratus hoc onere gravarentur.' The stress lies on the word 'statum.' The 'magistratus' are certainly municipal authorities.

<sup>9</sup> Cp. e.g. *C. iii.* 6075 (197—205) '[praef. vehic]ulationis Panno[niae

most important of these posts was that ‘per viam Flaminiam,’ for with it were frequently combined the duties of a Chief of Commissariat, on the occasions when the Emperor journeyed northward by this route to the army<sup>1</sup>. For the census and the public roads of Italy knights were frequently employed, but only occasionally bear the title of ‘procurator<sup>2</sup>.’ We may also mention the ‘consiliarii’ of the Emperor, for, though the post was widely different in character from a procuratorship, it too was a salaried one and finds a place in the equestrian career. The imperial council, which received definite organization at the hands of Hadrian<sup>3</sup>, was filled mainly with professional jurists, chosen in part from the equestrian order. The salaries ranged from 60,000 up to 200,000 HS<sup>4</sup>.

This sketch can make no pretence to completeness, and for all details of the administration of the individual branches of the system we must again refer to Hirschfeld’s masterly treatment of the subject (*K.VB. passim*). That these posts differed widely from one another in

ntriu]sq(ue) et Moesiae sup[erioris et N]orici.’ xiv. 170 ‘praef. vehicul. trium prov. Gall. Lugdunens. Narbonens. et Aquitanie. ad HS lx.’

<sup>1</sup> Cp. *C. x.* 7585 (209—211) ‘praef. vehic. per Flaminiam.’ Cp. *x.* 6662 ‘ducenario praef. vehicul. a copi[i]s Aug. per viam Flaminiam.’

<sup>2</sup> Cp. *C. vi.* 31863 ‘proc. Aug. ad cens. Gallorum, proc. Aug. ad cens. Brit[t].’ For the roads cp. *C. vi.* 1610 ‘curat. viar. Ost[iensis] et Campanae’ (knights were only appointed for the less important roads).

<sup>3</sup> *Life of Hadrian*, 8, 18, and 22; Dio, *LXIX*. 7. 1.

<sup>4</sup> Cp. *C. x.* 6662 ‘[...]a libellis imp. Commodo?] Pii Felicis Aug., ducenario, praef. vehicul. a copi[i]s Aug. per viam Flaminiam, centenario, consiliario Aug., sacerdoti confarreationum et diffareationum, adsumpto in consilium ad HS. lx. m[ilia] n[ummum].’ Cp. *Bull. de Corresp. Hellénique*, 1883, p. 17 (3rd century) *τὸν κράτιστον Καικήλ(ιον)* ‘Ἐρμιανὸν...δουκηνά[ριο]ν ἐπὶ συμβουλίου τοῦ Σεβ.

rank, and that advancement from one post to another took place along more or less definite lines, appears certain. But there was never any sharply defined hierarchy of office, such as existed in the senatorial 'cursus honorum.' The Emperor's goodwill and pleasure was the deciding influence, and he could at any time allow a favoured official to skip one or more grades of ordinary advancement. An attempt has been made by Liebenam<sup>1</sup> to determine the relative rank of the various 'procuraturaे,' and we may rely on the lists, that he has drawn up, to give us a rough idea of the regular order of promotion<sup>2</sup>. A safer means of classifying the procurators, namely by the amounts of their salaries, will be discussed below.

We have already seen above, that the imperial bureaux at Rome, the 'ministeria principatus' as Tacitus terms them, were transferred by Hadrian from freedmen to knights and forthwith made part of the equestrian career. Of these the 'a rationibus' alone could be regarded as a procuratorship<sup>3</sup>; the 'ab epistulis,' 'a libellis,' 'a studiis,' and 'a cognitionibus' on the other hand lacked the financial character, which was bound up with the meaning of the word 'procurator.' The 'a rationibus' was the chief officer of the fiscus, and, as that chest gradually drew to itself all the revenues of the State, came to be a sort of imperial Chancellor of the Exchequer. To gain a clear idea of

<sup>1</sup> Liebenam, *Beitr. zur Verw. G.* esp. the lists on pp. 134—5.

<sup>2</sup> Here again Domaszewski (*op. cit.*), seems to have succeeded, working on the lines of the various salaries, in demonstrating a very nearly regular system of promotion.

<sup>3</sup> Cp. the second century title 'proc. a rationibus.'

the immense range of the functions of this office, even in the first century, when it was still as a rule assigned to freedmen, we cannot do better than refer to Statius, *Silvae* III. 3<sup>1</sup>, a letter of consolation addressed to the younger Claudius Etruscus on the death of his father, who had been 'a rationibus' of Domitian. Scarcely less important was the imperial secretariat, the 'ab epistulis'<sup>2</sup>. First raised to importance under Claudius by the able freedman Narcissus, it continued henceforward to hold a high rank. Owing however to the immense bulk of the business which it had to transact, it became necessary about Hadrian's time to subdivide it into the two departments of 'ab epistulis Latinis'<sup>3</sup> and 'ab epistulis Graecis'<sup>4</sup>, of which the former was the more important, and this subdivision naturally lowered its rank. Statius<sup>5</sup> has once again rendered us good service, by sketching for us in lively and poetic style

<sup>1</sup> Cp. esp. l. 86 ff.:

' . . . . . iam creditur uni  
sanctarum digestus opum partaeque per omnis  
divitiae populos magnique impendia mundi.'

ll. 89—98 enumerate some of the imperial revenues; cp. again l. 95,  
'uni parent commissa ministro,

quae Boreas quaeque Eurus atrox, quae nubilus Auster  
invehit';

ll. 98—105 mention a number of the expenses of the fiscus.

<sup>2</sup> For a knight as 'proc. ab epistulis' under Domitian and Nerva, cp. *C. vi.* 798. Cp. *C. vi.* 8604, a freedman, and *Suet. Dom.* 7 'quaedam ex maximis officiis inter libertinos equitesque R. communicavit.'

<sup>3</sup> Cp. 'ab epistulis Latinis,' *C. vi.* 1564 (160 A.D.).

<sup>4</sup> 'ab epistulis Graecis,' *C. iii.* 431 (117—138).

<sup>5</sup> Statius, *Silvae*, v. 1 addressed to T. Flavius Abascantus, 'ab epistulis' of Domitian. (Cp. inscriptions of Abascantus' freedmen, *C. vi.* 8598 and 9.)

the duties of this office<sup>1</sup>. It appears from his description, that the most important of these consisted in issuing the appointments to officer posts up to the 'praefectura alae' inclusive, in receiving despatches to the Emperor from generals and governors and sending off his replies to them, in fact in dealing with all the public correspondence addressed to or proceeding from the Emperor. The 'a libellis,' an office of somewhat less importance, was concerned with the receipt of the numberless petitions addressed by private persons to the Emperor and the despatching of his answers to them, which usually took the form of a brief note (subscriptio)<sup>2</sup>. The 'a cognitionibus,' originally a

<sup>1</sup> Cp. esp. l. 83 ff. :

' . . . . . ille (i.e. Domitian) probatis  
molem immensam umeris et vix tractabile pondus  
imposuit. nec enim numerosior altera sacra  
cura domo; magnum late dimittere in orbem  
Romulei mandata ducis viresque modosque  
imperii tractare manu: quae laurus ab arcto,  
quid vagus Euphrates, quid ripa binominis Histri,  
quid Rheni vexilla ferant, quantum ultimus orbis  
cesserit et refugo circumsona gurgite Thyle' ;

and l. 94 ff. :

' praeterea, fidos dominus si dividat enses,  
paudere, quis centum valeat frenare, maniplos  
inter missus eques, quis praecepsisse cohorti,  
quem deceat clari praestantior ordo tribuni,  
quisnam frenigerae signum dare dignior alae' ;

l. 99 ff. :

' mille etiam praenosse vices, an merserit agros  
Nilus, an imbrifero Libye sudaverit austro.'

<sup>2</sup> Cp. Seneca, *Ad Polyb. de Consol. vi. 5* ' magna servitus est magna fortuna. non licet tibi quicquam arbitrio tuo facere, audienda sunt tot hominum milia, tot disponendi libelli; tantus rerum ex orbe toto coeuntium congestus, ut possit per ordinem suum principis maximi animo subici, erigendus tuus est.'

freedman, but after Hadrian regularly a knight, assisted the Emperor in his exercise of personal jurisdiction, supplying him with all necessary information and preparing cases for his consideration. The 'a studiis' was a referee on all literary subjects, and the 'a memoria,' who, until the time of Alexander Severus, was a freedman, was, at any rate in later times, engaged in drawing up and despatching all short resolutions of the Emperor<sup>1</sup>.

All these headships of bureaux ranked high in the equestrian career, usually being only bestowed after service in several procuratorial posts<sup>2</sup>. Roughly speaking, they occupied an intermediate position between the ordinary procuratorships and the equestrian 'praefecturae,' of which we have now to speak.

The lowest in rank of these 'praefecturae' were those of the fleets. Soon after his accession to the Empire Augustus had established the two fleets of Ravenna and Misenum, and to these were added later smaller detachments of ships on the main coasts and rivers of the Empire. Among the earlier 'praefecti' many were freedmen<sup>3</sup>, but from the time of Vitellius knights are regularly found<sup>4</sup>. Only the 'praefecti' of

<sup>1</sup> Cp. *Notitia Dignitatum*, 'adnotationes omnes dictat et emittit et precibus respondet.'

<sup>2</sup> Liebenam, *Beitr. zur Verw. G.* pp. 184—5.

<sup>3</sup> Cp. *C. x.* 6318 'Ti. Julius Optatus Pontianus, procurator et praefect. classis'; a freedman of Tiberius. Cp. the freedman Anicetus, who in 59 A.D. commanded the fleet of Misenum, *Tac. Ann. xiv.* 3.

<sup>4</sup> For knights at an earlier date cp. *C. x.* 4869 'Sex. Aulienus, praef. castr. imp. Caesar. Aug. et Ti. Caesaris Augusti, praef. classis'; for later date cp. *C. x.* 1127 and 6657 (Ravenna); *x.* 1127; *viii.* 14729 (Misenum).

the fleets of Misenum and Ravenna had any real importance; the command of the smaller ones ranked only on a level with ordinary procuratorships<sup>1</sup>. In time of war, the command of the two Italian fleets was occasionally placed in the hands of a single 'praefectus'<sup>2</sup>. For both of these fleets 'subpraefecti' are also found<sup>3</sup>. Of greater importance was the 'praefectus vigilum,' the commander of the corps of 'vigiles,' the watchmen and police of Rome<sup>4</sup>. Under the Republic, general police duties had fallen to the 'tresviri capitales,' under the supervision of the aediles, and further also of the consuls and tribunes. These duties were indifferently performed, and, after several unsuccessful attempts to reorganize the old system, Augustus himself undertook them in the year 6 A.D. He formed the seven cohorts of 'vigiles,' each consisting of about 1200 men of the freedman class, and placed them under the command of a deputy of equestrian rank, the 'praefectus vigilum'<sup>5</sup>. The duties of the post were judicial<sup>6</sup> and administrative as well as military; and the 'praefecti' were not officers pure and simple. As commanders however of troops in Rome they were able at times to interfere with effect at a crisis<sup>7</sup>. The post

<sup>1</sup> For these minor fleets cp. *C. III.* 8716 (Moesica); *VIII.* 8934 (Syriaca); *XI.* 5632 (Britannica).

<sup>2</sup> Cp. Lucilius Bassus in 69 A.D. *Tac. H. II.* 100.

<sup>3</sup> Cp. *C. IX.* 5357 (Ravenna); *VIII.* 17900 (Misenum).

<sup>4</sup> Cp. Mommsen, *R. StR. II.* 2. 1054 ff.

<sup>5</sup> Dio, *LV.* 26. 11; *LII.* 24. 6.

<sup>6</sup> In course of time he acquired a wide, though subordinate, criminal jurisdiction. Cp. Mommsen, *loc. cit.*

<sup>7</sup> Cp. Graecinius Laco, who helped to overthrow Sejanus. Dio, *LVIII.* 9. 3 ff.

was one of considerable influence and ranked immediately below the 'praefectus annonae'. The 'cura annonae', the task of providing Rome with grain, was undertaken by Augustus on the occasion of a famine in the year 6 A.D.<sup>3</sup> Up to that date it had fallen to the aediles<sup>4</sup>, but here too the senatorial magistrates had proved unequal to the task, and Augustus had already been called more than once to their assistance, before he finally undertook the task himself. At an uncertain date between 8 and 14 A.D., the 'praefectus annonae' was appointed to take supreme charge as the Emperor's deputy. For the duties of the office we can obtain valuable information from Seneca's *De brevitate vitae*, addressed to the 'praefectus annonae,' Pompeius Planta<sup>5</sup>. They consisted mainly in providing the capital with a plentiful supply of grain, oil and other articles of food, in managing the funds, and in supervising the sea-captains and bakers. Since no mention is made by Seneca of the oversight over the monthly distributions of grain, it appears that these were presided over down to that date by the senatorial 'praefecti frumenti dandi.' The 'praefectus annonae' had assistants in Rome<sup>6</sup>, and also agents in special

<sup>1</sup> Advancement from 'praef. vig.' to 'praef. annonae.' Keller-mann, *Vig.* p. 27. 6.

<sup>2</sup> Cp. Mommsen, *R. StR.* II. 2. 1037 ff.

<sup>3</sup> Cp. Dio, LV. 26. 3.

<sup>4</sup> From the time of Caesar the two 'aediles plebis Ceriales.'

<sup>5</sup> Cp. chapter 19 'cures, ut incorruptum et a fraude avehentium et a neglegentia frumentum transfundatur in horrea, ne concepto humore vitietur et concalesceat, ut ad mensuram pondusque respondeat.'

<sup>6</sup> Cp. an 'adiutor,' *C.* II. 1180; after about 150 A.D. a 'subpraefectus,' *C.* III. 7127 (176—192 A.D.); v. 8659 (169—176 A.D.).

provinces. In later times at least, he possessed jurisdiction in such cases of a less serious character, as affected his department. The post was always a high one and stood third in rank in the equestrian career, inferior only to the 'praef. Aegypti' and the 'praef. praetorio<sup>1</sup>'. The 'praefectura Aegypti,' which stood in rank between the 'praefectura annonae' and the 'praefectura praetorio<sup>2</sup>,' and in the Early Empire ranked even higher than the latter<sup>3</sup>, will require a fuller discussion in Chapter III. Its importance may readily be gauged, if we remember that Egypt was the most important of the imperial provinces, and that it was precisely because he feared to entrust it to a Senator, that Augustus gave it an exceptional position and placed an equestrian 'praefectus' at the head of the government as his viceroy<sup>4</sup>. But the highest post to which a knight could aspire was the 'praefectura praetorio<sup>5</sup>'. The real importance of the office dates from the reign of Tiberius, under whom took place the centralization of the praetorian guard in a camp within the walls of Rome. As commander of the troops, on whom the Emperor depended to keep Italy and Rome in check, the 'praefectus praetorio' was at once the Emperor's confidant and rival. His power was in fact so dangerously great, that the attempt was frequently

<sup>1</sup> Cp. *C. vi.* 1620, 1625, etc. for advancement from it to 'praef. Aegypti'; *viii.* 822, to 'vice praef. praet.'

<sup>2</sup> Cp. last note and Dio, *LXXXVIII.* 35 'Julianus, praef. Aegypti... praef. praetorio.'

<sup>3</sup> Cp. Seius Strabo, father of Sejanus, praef. praet. 14 A.D. (*Tac. Ann. 1. 7*); praef. Aeg. 17 A.D. (Dio, *LVII.* 19).

<sup>4</sup> The Emperor himself succeeded directly to the throne of the Ptolemies.

<sup>5</sup> Cp. Mommsen, *R. StR.* II. 2. p. 1113 ff.

made to eurtail it, by dividing it among two 'praefecti'; or again the Emperor might attempt to secure the loyalty of the prefect by a marriage alliance<sup>1</sup>. His military authority probably extended not only over the praetorian guard, but also over all troops stationed in Italy. He seems also to have had the control over the imperial slaves<sup>2</sup>. As representative of the Emperor, he acquired a wide civil and criminal jurisdiction<sup>3</sup>, and presided in the council in the Emperor's absence. The 'praefectura praetorio' formed, we have said, the summit of a knight's ambition. Advancement to it was usually only to be attained after a long and varied career in the Emperor's service, beginning with the 'militiae equestres' and rising grade by grade through various procuratorial posts and one or more of the other equestrian 'praefecturae'<sup>4</sup>. It was precisely here, however, in dealing with this most important of all posts open to knights, that the ordinary rules of advancement were at times most flagrantly infringed<sup>5</sup>; the only explanation, if explanation can be expected, for what was clearly an arbitrary act of absolute power, seems to be, that the qualities demanded by the post were

<sup>1</sup> Cp. the cases of Sejanus under Tiberius, Plautianus under Septimius Severus, and Timisitheus under Gordian III.

<sup>2</sup> Cp. Dio, LII. 24. 4—5.

<sup>3</sup> This development first becomes marked from about 200 A.D. on. Cp. the famous jurists Papinian, Ulpian and Paulus, all 'praefecti praetorio.'

<sup>4</sup> Cp. careers given in full below.

<sup>5</sup> Cp. Tac. *H.* II. 92 (of Vitellius) 'praeposuerat praetorianis Publilium Sabinum a *praefectura cohortis*, Iulium Priscum tum *centurionem*'; cp. Tac. *H.* I. 46 (of Otho), 'praetorii praefectos sibi ipsi legere, Plotium Firmum *e manipularibus quondam*, tum vigilibus *praepositum*'.

mainly military, and that therefore long experience of civil duties was not an absolute necessity.

We have followed the equestrian career from its humble beginnings in the 'militiae equestres' up to its culmination in the prefecture of the praetorian guard, and may now quote in illustration a few examples of actual careers, preserved for us in inscriptions.

The first shall be that of M. Bassaeus Rufus, 'praefectus praetorio' from some date between 161 and 169 down to about 177 A.D.<sup>1</sup>

M. Bassaeo M.f. St[el]. Rufo, pr(aefecto) pr(aetorio) [im]peratorum M. Aureli Antonini et [L.] Aureli Veri et L. Aureli Commodi Augg., [c]onsularibus ornamentis honorato [e]t ob victoriam Germanicam et Sarmatic(am) [A]ntonini et Commodi Augg., corona [m]urali vallari aurea hastis puris IIII [to]tidemque vexillis obsidionalibus [ab iisdem] donato, praef. Aegypti, praef. [ann(onae)], proc. a rationibus, proc. Belg[icae et du]arum Germaniarum, proc. regni [Nori]ci, proc. Asturiae et Galleciae, trib. [coh...] pr(aetoriae), trib. coh. x urb(anae), trib. coh. v vigul(um), p(rimo) p(ilo) bis, et seqq.

The second is a recently discovered inscription<sup>2</sup> of T. Furius Victorinus, of the year 167 A.D.

[T.] Furio L.f. Pal. Victor[no], praef. praet. imperator[um] M. Antonini et L. Veri Augg., consularibus] ornam[entis] honorato et [ob victoriam] Parthicam [M. Aureli Antonini] et [L.] Veri [Augg.] corona murali val- lari [aurea] hastis pur[is IIII] vexillis obsidionali[b]u[s

<sup>1</sup> C. vi. 1599, an inscription found at Rome. The letters included in square brackets are restorations of the text, those in round brackets completions of regular abbreviations.

<sup>2</sup> *L'Ann. Épigr.* 1907. 152. Found in Liguria.

III] donato, [praef.] Aegypti, praef. v[igilum], proc. a rat(ionibus), praef. [cl(assis)] praet(oriae) Mis[en(ensis)] praef. cl(assis) praetoriae] Ravennat(is), proc. ludi magni, proc. provinciae Hispaniae [Ci]t(erioris), [proc. XL] Gall(iarum), praef. alae Frontoniana, tr. legionis II Adiutric., [trib(uno)] coh. Bracarum in Brita[nnia].

The third is an inscription of C. Minicius Italus, 'praefectus Aegypti' shortly before 105 A.D.<sup>1</sup>

C. Minicio C. fil. Vel(ina) Italo, III viro i(ure) d(icundo), praef. coh. v Gallor(um) equit(atae), praef. coh. I Breucor(um) equit(atae) c(ivium) R(omanorum), praef. coh. II Varc(ianorum) eq(uitatae), trib. milit(um) leg(ionis) VI Viet(ricis), praef. eq(uitum) alae I sing-ularium c(ivium) R(omanorum), donis donat(o) a divo Vespasiano coron(a) aurea hast(is) pur(is).

proc. provinc. Hellespont(i), proc. provinciae Asiae, quam mandatu principis vice defuncti proco(n)s(ulis) rexit, procurat(or) provinciarum Lugduniensis et Aquitanicae, item Lactorae, praefecto annonae, praefecto Aegypti, flamini divi Claudii, decr(eto) dec-(urionum).

The fourth<sup>2</sup> shows us the career of M. Petronius Honoratus, 'praefectus Aegypti,' probably about 160—170 A.D.

M. Petroni[o] M.f.] Quir. Honorat[o], praef. coh. I Raet[orum], trib. mil. leg. I Miner[viac] p(iae) f(idelis), praef. alae Aug(ustae) p(iae) f(idelis) [Thrac(um)], proc. monetae, proc. XX [hered(itatum)], proc. prov. Belg(icae) et duar(um) Germaniar(um), proc. a ratio[nibus]]

<sup>1</sup> C. v. 875. Found at Aquileia.

<sup>2</sup> C. vi. 1625 b.

Aug(usti), praef. annon(ae), praef. Aegypti, pontif(ici) minor[i], et seqq.

This is naturally only an arbitrary selection out of numerous inscriptions of a similar character, but it will suffice to illustrate the sort of career, by which a knight could reach the summit of the Emperor's service.

In conclusion, something must be said about the appointment of procurators, the conditions under which they held office, their rank, titulature, and pay. Some of these points will come up again in the following chapters, but a few general remarks will not be out of place here.

Appointment to all equestrian offices, from the highest prefectures down to the post of 'advocatus fisci,' was made by the Emperor<sup>1</sup> by means of a diploma (codicillus).

Instances occur of knights declining the offer of an appointment<sup>2</sup>; for freedmen there was probably no choice. Influence with the Emperor naturally counted for a great deal, and we hear frequent complaints against the imperial favourites, who made money by the sale of such appointments<sup>3</sup>. Office was held during the Emperor's pleasure, and its term might therefore be either long or short. The procurator was bound to his post and could not withdraw from it without special authorization<sup>4</sup>. Some Emperors, like Tiberius, made a

<sup>1</sup> Cp. Dio, LII. 15. 2 ff.

<sup>2</sup> Cp. Fronto ad Anton. Pium 9, p. 170 (Nab.). Cp. 'bis cum dedisti procurationes, itemque bis cum excusationes recepisti.'

<sup>3</sup> Cp. Tac. *H. I.* 2; *Life of Alex. Severus*, 36. 1; Dio, LXV. 14. 3; LXXII. 12. 1.

<sup>4</sup> Seneca, *Ep. Mor.* 45. 2 'nisi mature te finem officii sperarem impetraturum.'

practice of keeping the same men for long periods at the same post<sup>1</sup>—a measure which certainly made for good government; others, like Alexander Severus, were constantly changing their officials, never allowing them more than a year in one place<sup>2</sup>. The intention was no doubt good, but the wisdom of the course was doubtful. So too it depended on the Emperor, whether the procurator proceeded straight from one office to another; it seems to have been Claudius' practice to allow sufficient time to elapse between, to enable the provincials to bring any complaints they might have to make<sup>3</sup>. Upon the death of an Emperor, all appointments made by him naturally terminated. It was no doubt the easiest and most usual course to continue the great majority of officials at their posts<sup>4</sup>, but instances do occur where a change of Emperors brought with it an almost complete change of imperial servants<sup>5</sup>.

The control over the procurators naturally lay in the hands of the Emperor, whose private assistants they were. As a rule he would himself try charges against them<sup>6</sup>, but would occasionally allow more important

<sup>1</sup> Cp. Joseph. *Ant. Jud.* 18. 6. 5; Tac. *Ann.* iv. 6; Suet. *Tib.* 41. Cp. Aurelian's advice given to Marcus and again to Commodus, to allow all provincial governors a term of not less than 5 years. (*Life of Niger*, 7.)

<sup>2</sup> *Life of Alex. Sev.* 46. 5.

<sup>3</sup> Cp. Dio, LX. 25. 4.

<sup>4</sup> Suet. *Otho*, 7 'procuratores atque libertos ad eadem officia revo cavit.' Dio, LXIV. 9. 1; *Life of Pius*, 5. 3 'factus imperator nulli eorum quos Hadrianus provexerat successorem dedit.'

<sup>5</sup> Cp. *Life of Alex. Sev.* 23. Suet. *Galba* 15 'Solos (Halotum et Tigellinum) ex omnibus Neronis emissariis vel malificentissimos incolumis praestitit....'

<sup>6</sup> Cp. Tac. *De Orat.* 7 'aut apud principem ipsos illos libertos

cases to be heard in the Senate<sup>1</sup>. On the whole, this control was strictly exercised; the Emperor had no interest in allowing his officers to enrich themselves at the expense of the subjects, and was therefore inclined to be severe in punishing the guilty. Instances will be given in the following chapter.

We have already seen, that the procurator of equestrian rank was distinguished from the freedman by the title 'procurator Augusti' as opposed to the simple 'procurator'.<sup>2</sup> The title 'procurator Caesarum,' which occurs in a few passages and inscriptions, does not differ materially in meaning from the more usual 'proc. Augustorum.' The name of 'Caesar,' which belonged properly to the Julio-Claudian line, was taken over by the Flavian dynasty and its successors as one of the imperial titles, and 'procurator Caesarum' seems therefore simply to denote a man in the financial service of the imperial house<sup>3</sup>. No other special title for procurators can be proved for the Early Empire, though they were probably entitled, in virtue of their position, to style themselves 'friends' of the Emperor. The three classes of 'viri egregii,' 'viri perfectissimi' and 'viri eminentissimi' appear in inscriptions from about the reign of Marcus Aurelius onwards<sup>4</sup>. To the title et procuratores principum tueri et defendere.' And Dio, lx. 33. 5 (trial of Junius Cilo).

<sup>1</sup> Tac. *Ann.* iv. 15 (trial of Lucilius Capito).

<sup>2</sup> See Hirschfeld, *K. VB.* p. 411 and note 4.

<sup>3</sup> Tac. *Agrie.* 4 'Gnaeus Julius Agricola...utrumque avum procuratorem Caesarum habuit...' Cp. *C. viii.* 11105 '[lib]erti et famili[ia] Caesarum nn.' (c. 200?). *xii.* 103 (inscr. of T. Pomponius Victor, proc. Augg.) 'dum ius guberno remque fungor Caesarum.' For other instances cp. *ii.* 2479, 3840, *C.I.G.* 6777.

<sup>4</sup> Cp. here Hirschfeld, *K. VB.* p. 451 ff.

of 'vir egregius' all procurators of equestrian rank had a claim; that of 'vir perfectissimus<sup>1</sup>' is found for the 'praefectus vigilum<sup>2</sup>', the 'praefectus annonae,' the 'ab epistulis Latinis,' the 'a cognitionibus Augusti<sup>3</sup>', and, in the second half of the third century for 'praesides provinciarum<sup>4</sup>.' The title of 'vir eminentissimus' belonged properly to the 'praefectus praetorio' alone<sup>5</sup>, but in a number of inscriptions of the early third century it is borne by the 'praefectus vigilum<sup>6</sup>'.

The introduction of pay for the procurators was certainly due to Augustus<sup>7</sup>, but it is not certain whether the four grades of salary (the trecentarii, ducenarii, centenarii, sexagenarii, i.e. recipients of salaries of 300,000, 200,000, 100,000, and 60,000 HS respectively) existed at so early a date. Possibly in the first century only the two classes of 'ducenarii' and 'centenarii' were known<sup>8</sup>. To the highest class, the 'trecentarii,' in

<sup>1</sup> This list is not meant to be exhaustive. Cp. Liebenam, *Beitr. zur Verw. G.* p. 127 ff.

<sup>2</sup> *C. vi.* 266.

<sup>3</sup> *C. ii.* 1085.

<sup>4</sup> *C. viii.* 9360; *vi.* 1641.

<sup>5</sup> Cp. *C. ix.* 2438 (year 168); *viii.* 9368 and others.

<sup>6</sup> *C. vi.* 30960 (223 A.D.); possibly due to a temporary raising of the rank of the office; for cp. *C. xi.* 1836 (261 A.D.) 'praef. praet. em. v., praef. vigil., p. v.'

<sup>7</sup> Hirschfeld, *K. VB.* p. 432 ff.; Liebenam, *Beitr. zur Verw. G.* p. 123 ff. Cp. Dio, *lii.* 25. 2 and *liii.* 15. 5-6 καὶ τοῖς γε ἐπιτρόποις καὶ αὐτὸς τὸ τοῦ ἀξιώματος ὄνομα ἀπὸ τοῦ ἀριθμοῦ τῶν διδομένων αὐτῷ χρημάτων προσγίγνεται.

<sup>8</sup> Cp. Suet. *Claud.* 24 'ornamenta consularia etiam procuratoribus ducenariis indulxit.' Domaszewski, *Bonn. Jahrb.*, 1908, p. 139 ff., starting from the pay of the military posts held by knights, has attempted to class the various procuratorial and kindred posts according to their salary. So far as I have been able to test them, his results hold good, and he seems to have succeeded in proving that the promotion was far more regular than has been hitherto supposed.

the second century the 'procurator a rationibus' alone belonged. Later we find in it the 'procurator rei privatae'<sup>1</sup>, and probably also the 'ab epistulis Latinis,' the 'a libellis,' the 'a memoria'<sup>2</sup>, the 'a studiis,' and possibly one or two others. The class of 'ducenarii' was a much wider one, and to it belonged the procurators of the more important provinces<sup>3</sup>. For full lists we must refer to Hirschfeld and Liebenam, *loc. cit.*, as also for lists of the 'centenarii' and 'sexagenarii,' attested by inscriptions. It is noteworthy that even procurators of provinces occasionally belong to the lowest class<sup>4</sup>. These classes, graded according to salary, offer us the best means of determining the relative ranks of the procuratorships. But we must always remember that the relative importance of these posts was constantly changing, and that a temporary raising of rank, due to special conditions, must frequently have taken place.

External honours were only sparingly bestowed on procurators, though a number of instances of the conferment of senatorial 'insignia' occur<sup>5</sup>. An honour however to which the distinguished knight might always look forward was the bestowal of a seat in the

<sup>1</sup> *C. x.* 6569.

<sup>2</sup> Eumenius, pro instaur. schol. *C. 11* 'trecena illa sestertia, quae sacrae memoriae magister acceperam.'

<sup>3</sup> Cp. e.g. Lugdunensis and Aquitanica, Belgica and the two Germanies, Britain, *C. x.* 6569, Sardinia, *C. I. Gr.* 2509, and others.

<sup>4</sup> Cp. 'proc. Mesopotamiae sexagenarius.' Henzen, 6930. The salaries of the equestrian 'praefecti' are unknown, but certainly exceeded 300,000 HS.

<sup>5</sup> Cp. Mommsen, *R. StR.* 1. p. 463 ff. for a collection of instances. Cp. Suet. *Claud.* 24 quoted above; Dio, LX. 23. 3 (bestowal of consular 'insignia' upon Laco).

Senate by imperial 'adlectio,'—a right exercised by the Emperor in virtue of his censorial power<sup>1</sup> and conferring the privileges of one or other of the senatorial classes (aedilicci, tribunicii, praetorii)<sup>2</sup>. The bestowal of this honour formed the link between the equestrian and senatorial careers, and the man, who had climbed high up the ladder of advancement of the one, would find before him in the other fresh scope and fresh stimulus for his ambitions<sup>3</sup>. A good example is offered by the inscription of Tib. Claudius Candidus, whose career extended roughly over the period 178—200 A.D., found at Tarraco<sup>4</sup>.

Tib. Cl. Candido co(n)s(uli), xv vir(o) s(acris) f(aciundis), leg. Angg. pr(o) pr(aetore) provinc. H(ispaniae) C(terioris), et in ea duci terra marique adversus rebelles h(omines) h(ostes) p(opuli) R(omani), item Asiae, item Noricae, duci exercitus Illyrici expeditione Asiana, item Parthica, item Gallica, logistae civitatis splendidissimae Nicomedensium item Ephesiorum, leg. pr(o) pr(aetore) provinc. Asiae, cur(atori) civitatis Teanensium, allesto inter praetorios, item tribunicios, proc. xx. hered. per Gallias Lugdunensem et Belgicam et utramque Germaniam, praeposito copiarum expeditionis Germanicae secundae, trib. mil. leg. II Aug(ustae), praefecto coh[o]rtis secundae civium Romanorum, Silius Hospes hastatus leg. x Geminae, strator eius, optimo praesidi.

<sup>1</sup> After Domitian, permanent.

<sup>2</sup> Cp. *C. vi.* 1359, 1564; *ii.* 4114. Cagnat, *I. G. ad r. R. p.* *ii.* 2. 615.

<sup>3</sup> Pliny, *Ep. i.* 145; cp. Dio, *lvi.* 25. Ὁ ὅστις δ' ἀν τῶν ἵππων διὰ πολλῶν διεξελθὼν ἐλλόγιμος ὥστε καὶ βούλευσαι γένηται, μηδὲν αὐτὸν ἡ ἡλικία ἐμποδιζέτω πρὸς τὸ μὴ οὐ καὶ ἐσ τὸ συνέδριον καταλεχθῆναι.

<sup>4</sup> *C. ii.* 4114.

## CHAPTER II

### THE PROVINCES AND THEIR PROCURATORS (PROCURATORES PROVINCiarum)

IN the last chapter an attempt has been made to give a clear idea of the civil service of the early Empire in its general outlines. It had, we have seen, many branches, and imperial procurators were employed in the most numerous and varied positions. But we must here renounce the attempt to follow up each of these branches in detail, and must content ourselves with a closer study of one of the most important of them, namely the special procurators of provinces (procuratores provinciarum). One such procurator was appointed for each province<sup>1</sup>; but his functions were not everywhere the same, and we must here distinguish three classes of provinces, and three classes of procurators to correspond.

(i) The provinces governed by imperial 'legati pro praetore.' Here the procurator took the place of the quaestor, and was entrusted with the general

<sup>1</sup> Cp. Dio, LII. 25. 5 ἀποχρῆ δὲ ἐν μὲν τῇ πόλει καθ' ἔκαστον ρηματίσεως εἶδος ἔξω δὲ καθ' ἔκαστον ἔθνος, εἰς τις ἐκ τῶν ιππέων. Dio, LIII. 15. 3 καὶ τοὺς ἐπιτρόπους...ἐς πάντα ὅμοιως τὰ ἔθνη, τὰ τε ἑαυτοῦ δὴ καὶ τὰ τοῦ δήμου, τοὺς μὲν ἐκ τῶν ιππέων τοὺς δὲ καὶ ἐκ τῶν ἀπελευθέρων πέμπει....

administration of the provincial finances<sup>1</sup>. ('Procurator provinciae' or 'proc. Aug. provinciae.')

(ii) The provinces governed by proconsuls,—the provinces of the Senate. Here the quaestor was still chief financial officer. The procurator stood beside him as chief officer of the *fiscus* in the province. (Title the same as for class (i).)

(iii) Those imperial provinces which were not placed under a legate of senatorial, but under a procurator of equestrian rank. Here the procurator's duties were not financial only, but administrative as well. (The most distinctive title is 'procurator et praeses<sup>2</sup>.)

The first two classes, in both of which the procurator was a purely financial officer, may be treated together; but the third, in which he was governor as well, requires separate treatment. The present chapter, therefore, will deal with the procurators of all provinces, ruled by governors of senatorial rank, the 'procuratores et praesides' will form the subject of Chapter III. The consideration of the numerous other procurators employed in the provinces in various special branches of finance<sup>3</sup>, but not bearing the distinctive title of 'proc. provinciae,' interesting though it is, lies beyond our present purpose.

As a rule, the financial procurator was appointed for a single province. But among the imperial provinces

<sup>1</sup> Tac. *Agric.* 15 'singulos sibi olim reges fuisse, nunc binos imponi, e quibus legatus in sanguinem, procurator in bona saeviret.'

<sup>2</sup> Cp. a full discussion in Chapter III.

<sup>3</sup> E.g. for the indirect taxes, the 'res privata,' the 'familiae gladiatorium.'

a few exceptions occur. Gaul, for instance, was divided into two financial districts, (i) *Lugdunensis et Aquitanica*<sup>1</sup>, and (ii) *Belgica*, to which the 'duae Germaniae' were attached<sup>2</sup>. Under Augustus, it is true, *Licinus* seems to have been procurator for the three Gauls<sup>3</sup>, and the same is probably true of *Laco*, who only received the post after the high office of 'praefectus vigilum'<sup>4</sup>. Instances of this union in later times are rare, but an inscription of the reign of *Pius*<sup>5</sup> shows us a 'L. Valerius Proculus proc. provinciarum trium [Gallia]r(um).' The *Tib. Antistius Marcianus*, to whom the 'tres provinciae Galliae' made a dedication about the year 200 A.D., seems to have been an imperial procurator, charged with census duties in the three provinces<sup>6</sup>. *Belgica* occasionally stands alone<sup>7</sup>, but we must not infer from this that it was separated from the two Germanies, for there is no evidence whatsoever of separate procurators in the latter. *Pannonia* and *Dalmatia* are found united under *Domitian*<sup>8</sup>, and *Histria* seems to have been regularly joined to *Dalmatia*<sup>9</sup>. The combinations of

<sup>1</sup> Cp. *C. iii.* 12053 and often. <sup>2</sup> Cp. *C. iii.* 5212 and often.

<sup>3</sup> *Dio*, *LIV.* 21. 2.

<sup>4</sup> *Ibid.* *LX.* 23. 3. *Domaszewski* contends that in the early Empire *Aquitania* and *Narbonensis* formed a single procuratorial district, but I am not convinced by his arguments.

<sup>5</sup> *C. ii.* 1970. *Hirschfeld* questions the restoration; but what other can be suggested?

<sup>6</sup> *C. XIII.* 1680 'primo unquam eq. R. a censibus accipiendis.'

<sup>7</sup> Cp. *Tac. H. i.* 12 and 58 'Pompeius Propinquus, procurator *Belgicae*.' *C. x.* 1679 'P. Aelius Agrippinus, proc. prov. *Belgicae*.' *C. vi.* 8450 'T. Aelius Augg. lib. Saturninus, pr[oc. provinc]. *Belgicae*'

<sup>8</sup> *Mommesen*, *Sitz.-ber. d. Berl. Akad.* 1903, p. 817.

<sup>9</sup> Cp. *C. ii.* 2643; *xI.* 2698.

Asiatic provinces under one procurator have undoubtedly reference to the administration of the domains<sup>1</sup>.

The main duties of these procurators were financial. In the imperial provinces, the procurator simply replaced the quaestor as chief officer of finance. His chief functions were the collection of the direct taxes and the paying out of sums required for the maintenance of the troops and similar expenses<sup>2</sup>. In the senatorial on the other hand, the procurator was simply and solely an officer of the 'fiscus,' and charged with collecting fiscal dues. As regards the means of raising the taxes, the companies of 'publicani' continued for a time even under the Empire to raise direct taxes, but disappeared at an uncertain date in the first century A.D. Tacitus, *Ann.* iv. 6, writing of the year 23 A.D., states 'frumenta et pecuniae vectigales, cetera publicorum fructuum societatibus equitum Romanorum agitabantur.' Rostowzew, comparing this passage with Tac. *Ann.* XIII. 54, where only 'vectigalium societates' are mentioned, infers that the change from the one system to the other took place between the reigns of Tiberius and Nero. Though this conclusion appears doubtful<sup>3</sup>, indirect collection of these taxes certainly

<sup>1</sup> Cp. Hirschfeld, *K. VB.* 379, note 5.

<sup>2</sup> Cp. Dio, liii. 15. 3 καὶ τοὺς ἐπιτρόπους (οὕτω γὰρ τὸν τὰς τε κοινὰς προσδόους ἐκλέγοντας καὶ τὰ προστεταγμένα σφίσιν ἀναλίσκοντας ὄνομάζομεν)...πέμπει. Cp. Dio, lii. 28. 7 καὶ σφῶν ἐκλογέας τοὺς ἐπιτροπεύσοντας ἐκασταχθεὶ ποιῆσαι ὥστε αὐτοὺς πᾶν τὸ τῷ τῆς ἐπιτροπέας αὐτῶν χρόνῳ προσῆκον ἐξ ἀπασῶν τῶν προσδόων ἐσπράττειν (for a discussion of this passage see below).

<sup>3</sup> Cp. Rostowzew, *Philologus*, Suppl.-b. ix. (1904) pp. 374 ff. But the passage of Tacitus certainly does not prove that no other 'societates' were in existence. Cp. C. vi. 31713 'mancup(es) stipend(iorum) ex Africa.' vi. 8585 and 6 'decumani.'

ceased before about 100 A.D. We have already seen that the imperial provinces paid 'tributa,' the senatorial 'stipendia.' The 'tributa' were probably raised from the start direct by the procurator and his staff. To the 'publicani' fell only the collection of the payments in kind and of the 'stipendia'.<sup>1</sup> There is some question as to how these taxes were raised after the disappearance of the companies. Mommsen<sup>2</sup> holds, that the right of collection was monopolized by the Emperor, and that, as far as taxes were collected by Roman officials at all, they were always collected by procurators. Hirschfeld<sup>3</sup> denies this, and supposes that in the senatorial provinces the collection now fell to the proconsul. The probability, I think, is that the 'stipendia' were paid over to the proconsuls; but, when the 'tributum' was substituted for the 'stipendum' in these provinces, the collection was taken over by the procurators<sup>4</sup>.

In all provinces a certain portion of the land was in imperial possession. Of these imperial domains, part belonged to the 'fiscus,' part to the 'patrimonium' and later to the 'res privata.' The fiscal domains were administered by the 'procuratores provinciarum,' and in some of the smaller senatorial provinces this administration must have been the main duty of the procurator.

<sup>1</sup> The 'stipendum' was a fixed sum, paid in a lump to Rome by the provincial communities. The 'publicani' relieved the State of the trouble of collecting it, and no doubt received a certain amount of it in reward for their trouble.

<sup>2</sup> Cp. *R. StR.* II. 2. p. 1005 and n. 1. Cp. p. 1017.

<sup>3</sup> *K. VB.* p. 70.

<sup>4</sup> Cp. Dio, LIII. 15. 3 πλὴν καθ' ὅσον τοὺς φόρους οἱ ἀνθύπατοι παρ' ὅν δρχονται ἐσπράσσονται. LVII. 23. 5 (of a procurator in Asia) τὰς νενομισμένας προσδόους ἐκλέγειν, and Dio, LIII. 15. 3 and LII. 28 cited above.

But in a few provinces, notably in Africa, where the domains reached an enormous size, special domain procurators were appointed<sup>1</sup>. For the possessions of the 'patrimonium' and the 'res privata' special procurators were at times similarly appointed.

In the early Empire, the duties of the procurators of provinces were wider than at a later date. For, as time went on, special officers were appointed for special branches of finance, and these were naturally withdrawn from the immediate care of the provincial procurators. In the third century however a reaction set in. It became customary to unite several different procuratorships in one band, and it is probably to this that Dio refers in a passage quoted above (p. 102, n. 1)<sup>2</sup>.

Wherever the interests of the fiscus were concerned, the procurator would naturally appear. Some glimpses of the activity of these officers are afforded us by chance inscriptions and references in literature, and it will not be out of place to quote a few of them here. No sharp distinction between imperial and senatorial provinces need be drawn; the duties of the procurator were more restricted in the latter than in the former, but they were similar in nature. The Emperor Domitian writes in one case to his procurator in Bithynia, Terentius Maximus, instructing him to assign lands near Prusa to a certain Archippus<sup>3</sup>. Commodus, again, in a letter to Albinus, informs him that he has sent instructions

<sup>1</sup> Cp. Hirschfeld, *Klio*, II. p. 292 ff.

<sup>2</sup> Cp. Dio, LII. 28. Dio is writing nominally of Maecenas' advice to Augustus, really with an eye to his own times. The whole of the provincial finances, says he, should be centralized in the person of the procurators of provinces.

<sup>3</sup> Pliny, *Ad Traj.* 58. 5.

to his procurators to make payments to him up to a certain amount<sup>1</sup>. On the death of Herod the Great, Sabinus, procurator of Syria, appeared in Jerusalem to take into custody the treasure of the dead king<sup>2</sup>. After the crushing of the Jewish revolt, the procurator Laberius Maximus received instructions to sell the whole land<sup>3</sup>. A principal cause of the British revolt of 61 lay in the confiscation by the procurator Catus Decianus of presents granted by Claudius to leading Britons<sup>4</sup>. In the imperial provinces we frequently find the procurator acting in co-operation with the legate in such matters as the fixing of boundaries for tribes or the erection of public buildings<sup>5</sup>. In some cases he even appears to exercise an independent activity<sup>6</sup>. In such instances, however, it is not always easy to decide whether the procurator may not have been temporarily acting 'vice praesidis'.

Even these isolated examples will give some idea of the range of the procurator's activity. The amount of the business which he must have had to transact is strikingly attested by the large staff of assistants<sup>8</sup>, drawn from the classes of freedmen and slaves, who were placed under his orders.

A 'subprocurator' of equestrian rank is sometimes

<sup>1</sup> *Life of Albinus*, 2. 4 ff.

<sup>2</sup> Joseph. *Ant. Jud.* 17. 9, 3 ff. (221 ff.).

<sup>3</sup> Joseph. *De B. J.* viii. 6. 6 (216 ff.).

<sup>4</sup> Dio, LXII. 2, 1. <sup>5</sup> For examples see below.

<sup>6</sup> For buildings ep. *C.* III. 836 and III. 14120 (in Crete, a senatorial province). For fixing of boundaries ep. *C.* III. 13250 '[terminos posuit inter] [p]rata leg. e[t] fines roboreti Fla(vii) Marc(iani?) per Augustianum Bellicum, proc. Aug.'

<sup>7</sup> Cp. for instance III. 13796 (Dacia inferior, c. 135—160 A.D.).

<sup>8</sup> Cp. Dio, LII. 25, 5.

found, but only in imperial provinces<sup>1</sup>, an 'adiutor,' often a freedman, in senatorial as well<sup>2</sup>. Of the subordinate officials, the highest in rank were the 'tabularii'<sup>3</sup>, always freedmen, with a 'praepositus tabulariorum' at their head: their duties were to receive payments, give receipts and settle accounts. The 'dispensatores'<sup>4</sup>, a privileged class, although entirely consisting of slaves, served as paymasters. Others, that frequently appear, are the 'vilici' (managers), 'commentarienses' (keepers of documents), the 'arcarii' (treasurers), and the 'tabellarii' (postmen). In the chief city of every province, it would seem, there was a central office or 'tabularium,' that served the purposes of the entire imperial administration of finance. In every province there must have been a special 'fiscus,' into which the revenues flowed<sup>5</sup>; we have definite proof only in the case of Gallia Lugdunensis<sup>6</sup>, but there is no reason why we should limit it to this one province. Any surplus from the provincial revenues, after all expenses for the provincial administration had been met, would either be laid up or sent from time to time to Rome.

In the early Empire the procurators were not armed with any judicial powers. In strict accordance with the course of development sketched in the Introduction,

<sup>1</sup> E.g. in Mauretania Tingitana and in Belgica (*C.* iii. 14195).

<sup>2</sup> Cp. for Britain *C.* vii. 62. Asia *C.* iii. 431.

<sup>3</sup> Cp. *C.* x. 7584 Sardinia, and ii. 485 and 6 Lusitania.

<sup>4</sup> Cp. *C.* iii. 1494 Dalmatia.

<sup>5</sup> Cp. Hirschfeld, *K. VB.* p. 76.

<sup>6</sup> For 'fiscus Gallicus provinciae Lugdunensis' cp. *C.* vi. 5197. For the 'fiscus Asiaticus' cp. above and Hirschfeld, *K. VB.* p. 71. It was in Rome, not in the province.

the fiscus was regarded as a purely private purse, and the cases affecting it went before the ordinary courts<sup>1</sup>, in other words before the praetors in Rome and before the governors in the provinces. It was Claudius who first introduced a decisive reform, by delegating his own jurisdiction to his procurators in all cases affecting the fiscus<sup>2</sup>. From Tacitus' account, we gather that a step had already been taken in the same direction (Tacitus, *loc. cit.* *Mox* (i.e. after Augustus) alias *per provincias et in urbe pleraque concessa sunt, quae olim a praetoribus noscebantur*<sup>3</sup>). In one point of great importance, however, Tacitus has certainly allowed his love of rhetoric to lead him astray. When he writes 'Claudius omne ius tradidit, de quo totiens seditione aut armis certatum, cum Semproniis rogationibus equester ordo in possessione iudiciorum locaretur' et seqq., he is guilty of a flagrant error. He is confusing the limited civil jurisdiction, granted by Claudius to his procurators, with the criminal jurisdiction of the law-courts. It is needless to seek for any other explanation of this blunder<sup>4</sup> than that afforded by Tacitus' passion for verbal effect; he is working up to his climax: 'Matios post haec et Vedios et cetera

<sup>1</sup> Cp. Bethmann-Hollweg, *Civil-Prozess*, II. p. 183 ff. Mommsen, *R. StR.* II. 2. 1021. Cp. Tac. *Ann.* IV. 6 fin. 'si quando cum privatis disceptaret, forum et ius.'

<sup>2</sup> Tac. *Ann.* XII. 60 'eodem anno (53 A.D.) saepius audita vox principis, parem vim rerum habendam a procuratoribus suis iudicatarum, ac si ipse statuisset,' et seqq. Suet. *Claud.* 12 'ut...rata essent quae procuratores sui in iudicando statuerent precario exegit.'

<sup>3</sup> Probably the reform began in the imperial provinces.

<sup>4</sup> It is perhaps legitimate to suppose that even by Tacitus' time procurators had begun to arrogate to themselves wider jurisdiction. This would give some point to an otherwise pointless denunciation.

equitum Romanorum praevalida nomina referre nihil attinuerit cum Claudius libertos, quos rei familiari praefecerat, sibique et legibus adaequaverit.' A special 'praetor fiscalis' was appointed by Nerva to deal with fiscal cases at Rome. The procedure seems to have been as follows. The procurator was qualified to decide the case at once, as 'iudex,' if the other party raised no objection; but, if it did, it had the right to ask for the appointment of a 'iudex' by the 'praetor fiscalis' and the case would then be decided in the ordinary course. (This is probably the right explanation of Pliny, *Paneg.* 36. 3 ff.)<sup>1</sup> The judicial competence of the procurators was always limited to fiscal cases<sup>2</sup>; but they frequently assumed the right at a later date to try ordinary civil cases<sup>3</sup>, and to inflict fines<sup>4</sup>, and even capital punishment<sup>5</sup>. Appeal to the Emperor from the decision of the procurator was always possible<sup>6</sup>.

An interesting question is that of the relation of the procurator to the army. In the first place, how far was he allowed to employ soldiers in the collection of the taxes? The case of Lucilius Capito in Asia in the year 23 A.D.<sup>7</sup> proves beyond doubt that up to that

<sup>1</sup> Cp. Bethmann-Hollweg, *Civil-Prozess*, II. p. 183 ff.

<sup>2</sup> Cp. *ibid.* p. 75.

<sup>3</sup> Cp. sharp wording of imperial edicts forbidding these abuses. *Digg.* 49. 1, 23. 1.

<sup>4</sup> *Cod. Just.* 1. 54, 2. 10, 8. 1.

<sup>5</sup> *Digg.* 1. 19. 3. pr. Cp. *Life of Pius*, 6.

<sup>6</sup> Dio, LII. 33. 1 ff. (Speech of Maecenas) δίκασε δὲ καὶ αὐτὸς ιδίᾳ τῷ τε ἐφέσιμα καὶ τὰ ἀναπόμπιμα, ὅσα ἀν παρά τε τῶν μειζόνων ἀρχόντων καὶ παρὰ τῶν ἐπιτρέπων... ἀφικνῆται· μήτε γὰρ αὐτόδικος μήτε αὐτοτελὴς οὕτω τις τὸ παράπαν ἔστω, ὥστε μὴ οὐκ ἐφέσιμον ἀπ' αὐτοῦ δίκην γίγνεσθαι.

<sup>7</sup> Tac. *Ann.* IV. 15. Dio, LVI. 23. 4 ff.

date he had no sort of right to military assistance. He was accused, Dio tells us, of having employed soldiers and of having acted in general as though he were a magistrate (*ώς καὶ ἀρχὴν ἔχων*): Tiberius banished him, *οὐ γὰρ ἐξῆν τότε τοῖς τὰ αὐτοκρατορικὰ χρήματα διοικοῦσι πλέον οὐδὲν ποιεῖν ἢ τὰς νενομισμένας προσόδους ἐκλέγειν καὶ περὶ τῶν διαφορῶν ἔν τε τῇ ἀγορᾷ καὶ κατὰ τοὺς νόμους ἐξ ἵσου τοῖς ἰδιώταις δικάζεσθαι*<sup>1</sup>. Tacitus, in the parallel passage, writes, '(adeo ut) procurator Asiae Lucilius Capito accusante provincia causam dixerit, magna cum adseveratione principis, non se ius nisi in servitia et pecunias familiares dedisse: quod si vim praetoris<sup>2</sup> usurpasset manibusque militum usus foret, spreta in eo mandata sua.' The exact meaning of this passage is not at first sight clear. Tacitus probably means that Capito had only been empowered to employ imperial slaves ('servitia,' supply 'familia'), and to administer the Emperor's property (res familiares): the assumption of the right to employ soldiers presumed a special military command, which he did not possess. Later, we find the procurator entrusted with a small number of soldiers. The change was probably brought about by Claudius, and stands in connection with his bestowal of judicial competence on procurators. The employment of soldiers by the procurator to enforce his decisions in fiscal cases

<sup>1</sup> Cp. Tac. *Ann.* iv. 6 fin. For the later procedure in senatorial provinces after Claudius' reform cp. Ulpian, *Digg.* 1. 16. 9 pr. 'nec quicquam est in provincia quod non per ipsum (proconsulem) expediatur. Sane si fiscalis pecunaria causa sit, quae ad procuratorem principis respicit, melius fecerit, si se abstineat.'

<sup>2</sup> The word 'praetor' is used in the old sense and denotes here the proconsul.

could of course not begin before the right to make such decisions was conferred. Even after Claudius, the number of soldiers placed at the procurator's disposal was extremely small. We learn from Pliny's letters to Trajan<sup>1</sup>, that Virdius Gemellinus, the procurator of Bithynia, had under him ten 'beneficiarii'<sup>2</sup>: his assistant Maximus petitioned for further assistance, and Pliny, while granting his request, consulted the Emperor on the principle that he must follow in future. Trajan's reply clearly shows that the employment of soldiers by procurators was only grudgingly allowed<sup>3</sup>. But the concession of such power to procurators, even in this restricted sense, had evil results, and led to violence and oppression in the collection of the taxes<sup>4</sup>. The inscriptions show us 'beneficiarii'<sup>5</sup>, and even 'cornicularii'<sup>6</sup>, of the finance procurators in the imperial, but not in the senatorial provinces,—a fact which supports the natural supposition, that in the latter the employment of soldiers by the procurator, if it existed at all, must have been extremely restricted<sup>7</sup>.

<sup>1</sup> Pliny, *Ad Traj.* 27 and 28.

<sup>2</sup> I.e. specially privileged soldiers, exempted from ordinary duties and reserved for special commissions.

<sup>3</sup> Cp. Pliny, *Ad Traj.* 27 'Maximus, libertus et procurator tuus, domine, praeter decem beneficiarios, quos adsignari a me Gemellino, optimo viro, iussisti, sibi quoque confirmat necessarios esse milites...' and Trajan's reply, 'nunc quidem proficiscentem ad comparationem frumentorum Maximum, libertum meum, recte militibus instruxisti,' etc.

<sup>4</sup> Cp. here Mommsen, *R. St.R.* II. 2. p. 1024 and note 5—6.

<sup>5</sup> Cp. a 'beneficiarius procuratoris' of Lugdunensis. *Comptes-Rendues de l'Acad. des Inscr.* 1904, p. 447.

<sup>6</sup> I.e. adjutants, cp. *C.* xiii. 1810, dedication by an 'eques cornicularius' to the proc. of Lugdunensis and Aquitanica.

<sup>7</sup> Cp. Mommsen, *Eph. epigr.* IV. p. 536 'ut constat milites

In the imperial provinces, instances of wider relations between procurator and soldiers are not unknown. At the time of the rebellion of Boadicea in Britain, the veterans of Camulodunum appealed to Catus Decianus, the procurator, for military aid, in the absence of the legate Suetonius Paulinus<sup>1</sup>. But it is quite possible that in this case Decianus was acting as 'vice praesidis'<sup>2</sup>: in any case, his position was an extraordinary one in the absence of his superior. A British inscription<sup>3</sup> throws some light on the subject; it tells us of the repair of a gate and walls by the 'coh(ors) I Vangion(um)', 'iussu Alfeni Senecionis, v(iri) c(larissimi), cos., curante Oclatinio Advento, proc. Augg. nn.,' assisted by the tribune Aem. Salvianus. Here the procurator is in charge of the building operations, his main duty, no doubt, being the payment of the troops: the task has been set by the governor, and the tribune Aemilius Salvianus works under the procurator. In other inscriptions, we find the procurator in charge, with no mention of the governor at all. A camp building is completed by 'Suri sag(ittarii) sub T. C....e proc. Aug.'<sup>4</sup>: a dedication to Hadrian is made by a 'n(umerus) burg(ariorum) et veredario(rum)' on the completion of a similar task, 'sub Fl. Constante, proc. Aug.'<sup>5</sup>: and a camp is enlarged by 'burg(arii) et vered(arii) per Aquilam Fidum proc. Aug.'<sup>6</sup> These three inscriptions, however, all come from the same province, Dacia Inferior, and belong to the same period

attributos esse procuratoribus iis qui provincias imperatorias administrabant, ita missis in senatorias provincias inermes num idem ius fuerit, dubium est.'

<sup>1</sup> Tac. *Ann.* xiv. 32.

<sup>2</sup> See below.

<sup>3</sup> C. vii. 1003.

<sup>4</sup> C. iii. 12601.

<sup>5</sup> C. iii. 13795.

<sup>6</sup> C. iii. 13796.

(c. 135—140 A.D.), and it has therefore been suggested, on the very ground of this unusual independent activity on the part of the procurators, that they were ruling Dacia Inferior 'vice praesidis' during this period.

From this evidence, scanty as it is, we can draw a few safe conclusions. The finance procurator in senatorial provinces cannot be proved to have enjoyed any right to military assistance at all. In imperial provinces, he was restricted to a very limited number of men, placed at his disposal by the governor. When special need for further help arose, application must be made to the Emperor. It is clear that it was no part of the scheme that the procurator should collect the taxes by violent compulsion. For ordinary duties he must rely on his slave-assistants<sup>1</sup>. Special military conditions might require him to take temporary command of troops, but he did this, not in his own right, but virtually as a deputy. The procurator, ruling in the governor's absence, 'vice praesidis,' naturally succeeded to the military command. Quite apart, however, from the direct command of soldiers, the procurator was constantly brought indirectly into touch with them. It is probable that he was their paymaster-in-chief, and in this capacity we find him superintending the execution of pieces of work, set by the governor for them to perform.

In considering the relations between the procurator and the governor, we must draw a clear distinction between the imperial provinces, governed by legates,

<sup>1</sup> Tac. *Agric.* 15 (61 A.D.), complaints of the British rebels, 'alterius (i.e. of the governor) manum centuriones, alterius (i.e. of the procurator) servos vim et contumelias miscere.

and the senatorial, governed by proconsuls. In the former, the procurator took the place of the quaestor and was the chief financial officer of the province. In the latter, the quaestor still remained by the side of the proconsul as his financial assistant; the procurator stood in a position apart, as representative of the interests of the 'fiscus.' This recapitulation will make clear the reason for the distinction that we must here draw. In the one case, the procurator formed a part of the regular machinery of administration; in the other, he represented a force outside it, which could often interfere in its smooth working.

Under the Republic, there had been practically no trace of divided authority in the provinces. The governor was supreme in his own sphere, and the quaestor was supposed to stand to him in so close a relation of affection and trust that it was little short of a scandal if he furnished evidence against him. Small wonder that, with no present check on his rapacity and only a remote future prospect of retribution at the hands of the corrupt oligarchy at home, the governors set no limits to their brutality and avarice. Here the Empire introduced a marked improvement. In the imperial provinces, which we will consider first, the purely dependent quaestor was replaced by the procurator holding an independent mandate from the Emperor. Maecenas, in Dio, cites as an argument in favour of the employment of knights in financial posts, *ὅτι μήτε δυνατὸν μήτε συμφέρον ἐστί σοι τοὺς αὐτοὺς τῶν τε δυνάμεων καὶ τῶν χρημάτων κυρίους γίγνεσθαι*<sup>1</sup>, and we have instances enough to show that the Emperor

<sup>1</sup> Dio, LII. 25. 3.

never meant the procurator to become a tool of the governor or forget to whom his obedience was in the first instance due. The first news of the revolt in Upper Germany was sent to Galba by Pompeius Propinquus, procurator of Belgica<sup>1</sup>, who afterwards paid for his loyalty with his life<sup>2</sup>. Julius Classicianus, the successor of Catus Decianus as procurator of Britain, was at bitter enmity with the legate Suetonius Paulinus and this feud between the Roman rulers emboldened the natives to prolong their resistance<sup>3</sup>. The action of Nero in this matter is very significant: instead of enforcing the authority of Paulinus, he sent his freed-man Polyclitus to arbitrate in the dispute, and finally found occasion to recall the legate<sup>4</sup>. Galba, as legate of Tarraconensis, declared that he had intercepted orders from Nero to his procurators, to put him to death, and his alarm at the discovery was a large factor in inducing him to make his bid for the Empire<sup>5</sup>. From the fact that Tacitus awards special praise to Agricola, as legate of Aquitania, for his tactful avoidance of disputes with the procurators, we may safely infer that such disputes lay in the regular order of things<sup>6</sup>.

<sup>1</sup> Tac. *H. I.* 12.

<sup>2</sup> *Ibid. I.* 58; it must be remembered that the sphere of this procurator included the two Germanies.

<sup>3</sup> Tac. *Ann. XIV.* 38 'gentesque praeferocea tardius ad pacem inclinabant, quia Julius Classicianus, successor Cato missus et Suetonio discors, bonum publicum privatis simultatibus impeditiebat disperseratque novum legatum opperiendum esse,' et seqq.

<sup>4</sup> *Ibid. XIV.* 39 'missus est e libertis Polyclitus, magna Neronis spe posse auctoritate eius non modo inter legatum procuratoremque concordiam gigni,' seqq.

<sup>5</sup> Suet. *Galba*, 9.

<sup>6</sup> Tac. *Agric.* 9 '...procul ab aemulatione adversus collegas, procul a contentione adversus procuratores, et vincere inglorium et atteri sordidum arbitrabatur.'

Such an arrangement, by which the two sections of the administration balanced one another's working, suited the Emperor admirably. It was certainly not his interest to promote constant friction between them, and, in the majority of cases, he would no doubt uphold his legate's supremacy<sup>1</sup>. But, to secure some check on the legate, a certain amount of independence had to be ensured to the procurator, and, that being so, occasional disputes were inevitable. The effect on the provincial government was probably good, and we must not attach serious importance to the rhetorical complaints placed by Tacitus in the mouth of the British rebels<sup>2</sup>.

Needless to say, however, such friction between the procurator and governor, as we have described, could only be the exception. Their harmonious co-operation was needed to make administration successful, and that co-operation could be secured by a little tact and mutual forbearance. A glimpse into the natural relations between the two is afforded us in Pliny's corres-

<sup>1</sup> Cp. *Life of Hadrian*, 3 'legatus postea praetorius in Pannoniam inferiorem (i.e. Hadrian) missus Sarmatas compressit, disciplinam militarem tenuit, procuratores latius evagantes coercuit (c. 103 A.D.).' But under an oppressive Emperor, like Nero, the governor might be powerless to keep the procurators in check. Cp. Plut. *Galba*, 4 ἐκεῖ δὲ (i.e. Spain) τῶν ἀλιτηρίων ἐπιτρόπων ὡμῶς καὶ ἀγρίως τὰς ἐπαρχίας ἐκείνων διαφορούντων ἀλλο μὲν εἶχεν οὐδέν βοηθεῖν, αὐτῷ δὲ τῷ φανερὸς εἶναι συναλγῶν καὶ συναδικούμενος ὡμῶς γέ πως ἀναπνοήν τινα καὶ παραμυθίαν τοῖς καταδικαζομένοις καὶ πωλουμένοις παρέσχε.

<sup>2</sup> Tac. *Agr.* 15 (61 A.D.) 'Singulos sibi olim reges fuisse, nunc binos imponi, e quibus legatus in sanguinem, procurator in bona saeviret. aequa discordiam praepositorum, aequa concordiam subiectis exitiosam. alterius manum centuriones, alterius servos vim et contumelias miscere.' But the passage certainly confirms the contention in the text, that a real division of authority often existed.

pondence with Trajan<sup>1</sup>. A case had arisen at Nicaea, in which the city and the 'fiscus' were rival claimants for the property of such citizens as died intestate. Trajan instructs Pliny to decide the case, in concert with the procurator Virdius Gemellinus and his assistant Epimachus<sup>2</sup>. That the procurator must apply to the governor for special military assistance has already been shown above<sup>3</sup>. A procurator, at any rate one of subordinate rank, might often find it desirable to obtain a testimonial from the governor, on quitting his post. So Pliny gives Maximus, the assistant procurator in Bithynia, a recommendation to Trajan, praising his honesty and zeal, his devotion to the Emperor's interests, and his strict subordination to authority<sup>4</sup>. Some further light on the relations of governor and procurator is given us by inscriptions. In an inscription of Britain, already quoted in another context, the procurator, Oclatinus Adventus, appears as superintending the building of a camp by the 'cohors I Vangionum,' under instructions from the governor<sup>5</sup>. Or, again, the two may work together over the fixing of boundaries or in execution of some special commission of the Emperor<sup>6</sup>.

In the senatorial provinces conditions were very different. In theory, the Emperor was excluded from

<sup>1</sup> Bithynia was, for the time, an imperial province.

<sup>2</sup> Pliny, *Ad Traj.* 83 and 84.

<sup>3</sup> *Ibid.* 27 and 28.

<sup>4</sup> *Ibid.* 85.

<sup>5</sup> *C. vii.* 1003, ep. iii. 4117 (Pannonia Sup.). Governor and procurator also appear together in dedications to the Emperor, ep. *C. ii.* 2477 (Tarracensis), and Cagnat, *I.G.R.* iii. 2. 466, 690, iii. 3. 489.

<sup>6</sup> Cp. Dittenberger, *S.I.G.*, Suppl. ii. 538.

all share in their administration, and had no recognized power of control over the proconsul. His chief guarantee against rebellion lay in the absence of all military commands from these provinces<sup>1</sup>. Under these conditions, it is easy to understand that the Emperor often found it convenient to employ his procurators as a check on the unfettered action of the proconsul. Piso, proconsul of Africa, was put to death mainly through the exertions of Baebius Massa, 'e procuratoribus Africae,' and Tacitus' angry comment on the event shows the contemptuous indignation felt by the Senate for such tools of the Emperor<sup>2</sup>. Similar instances are those of Macer, who was put to death under Galba's order by the procurator, Trebonius Garrutianus<sup>3</sup>, and of Junius Silanus who was likewise disposed of by 'P. Celer et Helius libertus, rei familiari principis... impositi,' *Tac. Ann. XIII. 1*. Here the general effect on government must have been bad. Imperial control was on the whole a thing to be desired, but indirect interference of this kind could only produce confusion and misery.

From a general point of view, this tendency to rivalry between the governor of senatorial and the procurator of equestrian rank is interesting as a phase of the general rivalry between the two orders under the Empire. The equestrian career, far inferior in power and importance to the senatorial at starting, grew

<sup>1</sup> Until the time of Gaius, Africa was the one exception to this rule. Gaius removed the anomaly and gave the command of the legion to a special legate, stationed in Numidia.

<sup>2</sup> *Tac. II. iv. 50*. This man may have been a domain procurator; but, in any case, it makes no great difference to our present point.

<sup>3</sup> *Ibid. 1. 7.*

rapidly in rank, until its chief posts stood on a level with the summits of a senator's ambition. The Senate, on the other hand, was ever losing ground in its unequal battle against the power of the principate, and the development ended in the complete ousting of senators from all military commands under Gallienus. But, much earlier than this, there had been talk of ousting the Senate from its position, as is shown by Nero's wild threat, to banish senators from public life and fill all posts with knights and freedmen. The Senate played too much the part of a rival to the Emperor, and the knights, whose political ambitions bound them to loyal co-operation with him, profited at its expense.

In the temporary absence of an imperial legate, the procurator often represented him and bore the title 'procurator vice praesidis<sup>1</sup>'. Such representation, however, is scarcely attested before the third century. Catus Decianus, as we have seen, may have been representing Suetonius Paulinus in 61 A.D. in Britain<sup>2</sup>: and, under Hadrian, Marcius Turbo, after governing Mauretania, was appointed by Hadrian to Pannonia and Dacia 'titulo Aegyptiacae praefecturae, quo plus auctoritatis haberet, ornatus<sup>3</sup>'. Only towards 200 A.D. do instances become at all frequent. C. Julius Senecio acted as 'vice praesidis' in Galatia and Pontus (c. 180 A.D.)<sup>4</sup>, Cl. Paternus Clementianus in Judaea (c. 180—190 A.D.)<sup>5</sup>, L. Titinius Clodianus in Numidia (211 or 212 A.D.)<sup>6</sup>, C. Furius Timisitheus in Arabia and

<sup>1</sup> Or 'agens vices praesidis,' 'partes praesidis fungens.'

<sup>2</sup> Tac. *Ann.* xiv. 32.

<sup>3</sup> *Life of Hadrian*, 6, 7.

<sup>4</sup> C. III. 251.

<sup>5</sup> C. III. 5776.

<sup>6</sup> C. VIII. 8328 and add. (p. 968).

again in Belgica and the two Germanies (c. 230 A.D.)<sup>1</sup>, and Badius Comnianus in Lugdunensis and Aquitanica (c. 237 A.D.)<sup>2</sup>. We have already seen above, that in all probability Dacia Inferior was ruled by successive 'procuratores vice praesidis' in the period from about 133—140 A.D.; but this, and similar cases, hardly illustrate the special representation, which we are discussing here; they are rather instances of the temporary establishment of rule by 'procuratores et praesides' in place of legates.

In the senatorial provinces, the regular representative of the proconsul would be his legate, or his quaestor; but even here in exceptional cases the procurator took his place as 'procurator vice proconsul.' Thus Minicius Italus under Domitian was 'procurator provinciae Asiae, quam mandatu principis vice defuncti proconsulis rexit'<sup>3</sup>. At so early a date this was very exceptional. Later, a few other instances occur; the same C. Furius Timisitheus, whom we met above as 'vice praesidis,' was 'vice proconsul' in Asia<sup>4</sup>. Such representation of senatorial officers by knights only became frequent in the third century, and was significant as a sign of the times.

Something has already been said in the last chapter about the general conditions under which a procurator

<sup>1</sup> *C. XIII.* 1807.

<sup>2</sup> *C. XIII.* 3162.

<sup>3</sup> *C. v.* 875. Waddington suggests with probability that the deceased proconsul was Civica Cerealis, put to death by Domitian during his term of office.

<sup>4</sup> *C. XIII.* 1807. See Domaszewski, *Rhein. Mus.* 58, 1903, p. 218 ff., for an interesting commentary on this inscription. He notes as characteristic of the 3rd century: (i) the representation of senatorial officers by knights; (ii) the accumulation of 'procuratae' in one hand.

held office. A few special remarks must be added here. Equestrian rank was practically always required as a qualification for the procuratorship of a province: the inscriptions in which freedmen bearing the title 'proc. provinciae' are found are comparatively few in number. Under the government of M. Aurelius, freedmen, we know, were powerful, and many of these inscriptions belong to his reign<sup>1</sup>. It is highly probable, however, that, as Hirschfeld suggests, these freedmen were really domain-procurators, who had received permission to employ the more honourable title of 'procurator provinciae'<sup>2</sup>. But in the early Empire, as we have already attempted to prove, the distinction between the posts open to knights and to freedmen was not so sharply drawn, and Licinus was probably not the only freedman who was procurator of a province.

Appointed by the Emperor and likewise discharged by him, the procurators held office in their provinces for varying periods during his good pleasure. The better administrators seem to have made a point of allowing considerable terms of office. Holding, as they did, independent mandates from the Emperor, the procurators had to answer to him direct, and to him all appeals from the provincials against oppression had to go. The position of the procurator in his province

<sup>1</sup> Cp. *C.* vi. 8450 'T. Ael. Augg. lib. Saturnin(us) pr[oc. prov.] Belgiae...' Cp. vi. 8568 and 9; x. 6571.

<sup>2</sup> Hirschfeld, *K. VB.* p. 381 and note 4. Cp. esp. *C.* x. 6081 'Acastus Aug. lib. proc. prov. Mauretaniae et tractu(s) Campani.' xiv. 176 'M. Ulpius, Augg. lib. Probus, proc. provinc. Pannoniae Super. et Africae, reg(ionis) Thevest(inae).' For other instances cp. vi. 790, xiv. 51 and others.

gave him considerable influence and dignity,—a fact which comes into striking prominence in the correspondence of Seneca with his friend Lucilius, procurator of Sicily. Seneca is constantly dwelling on the manifold duties that threaten Lucilius' philosophic calm, and the assiduous attentions that may undermine his philosophic view of life<sup>1</sup>. The procurator is a personage in his own sphere, and, though he may estimate himself at his true value, others are certain to take an exaggerated interest in the most commonplace details of his everyday life<sup>2</sup>. Towns would choose him as their patron, decrees of honour would be passed in his favour, and statues, expressing the thankful recognition of the provincials, would be erected to honour him. A man of ambition, like Cornelius Fuscus, who deliberately chose the opportunities of the equestrian career, when the senatorial lay open to him, might feel his choice justified, when he found himself taking precedence even of the governor<sup>3</sup>.

For an attempt to classify the 'procuraturae provinciarum' in order of rank, we may once again refer to Liebenam<sup>4</sup>. Even if, as Hirschfeld suggests, no quite satisfactory scheme can be drawn up, there is evidence enough to demonstrate that a different value was set on the office in different provinces, and that regard was taken of this in promotion. The highest in rank of the imperial provinces were 'Gallia Lugdunensis

<sup>1</sup> Seneca, *Ep. Mor.* 19. 4.

<sup>2</sup> *Ibid.* 43. 3 'Tu nunc in provincia, licet contemnas ipse te, magnus es,' seqq.

<sup>3</sup> Tac. *H.* II. 86.

<sup>4</sup> Liebenam, *Beitr. zur Verw. G.* pp. 18—34, and list on p. 35.

et Aquitanica,' and 'Belgica et duae Germaniae.' The procurator of either of them often passes on to the high office of 'proc. a rationibus<sup>1</sup>.' The procuratorship of Britain also ranked high, and advancement from it to 'Lugdunensis et Aquitanica' occurs<sup>2</sup>. Syria in the East corresponded to some extent to Gaul in the West, and of the rest Lusitania<sup>3</sup>, Dacia and Cappadocia also ranked high. Of the senatorial provinces, the highest in rank was Asia; advancement from this procuratorship to that of the imperial province of Lugdunensis et Aquitanica was frequent<sup>4</sup>. But in general the procuratorships of senatorial provinces were naturally of less importance than those of imperial. A number of inscriptions give us lists of provinces in order, one after another, but unfortunately even these do not enable us to fix with certainty any hierarchy or rank<sup>5</sup>.

These posts of 'procurator provinciae' were among the first to arise, and always formed an important part of the system. It was in the financial administration of the provinces that the need for a new civil service was first felt, and it was there too that it was first

<sup>1</sup> Cp. *C.* vi. 1620 and 1626 (for *Lugd.* et *Aquit.*). vi. 1599 and 1625 b (for *Belg.* et *duae Germ.*).

<sup>2</sup> *C.* vi. 1626.

<sup>3</sup> Promotion to *Mauretania Tingitana*, a comparatively high post, occurs. *C.* ii. 1120. *Cp.* iii. 5211 (*Maur. Caesar*).

<sup>4</sup> *Cp.* v. 875, xiii. 1807, and ii. 1970.

<sup>5</sup> Once again, I refer to Domaszewski, who contends that the order of rank was far more definitely fixed than has hitherto been supposed. Provinces in ascending order of rank: *Cilicia*, *Lusitania*, *Mauretania Caesariensis*, *Raetia*, *Belgica et utraque Germania* (*C.* iii. 5211—5). *Chosdroene*, *Syria Coele*,...*Hispania citerior* *Tarragonensis*, *Mauretania Tingitana*, *Mauretania Caesariensis* (ii. 4135). *Macedonia*, *Lusitania*, *Mauretania Tingitana* (ii. 1120).

adopted, to be extended later step by step to other branches. Almost every knight who served the Emperor long gained much of his experience in these posts, and the change and variety that they offered must have exercised a great attraction over adventurous minds. We can best realize it to ourselves, if we imagine a modern Civil Service, not confined to India and a few other provinces, but extending also over such countries as Canada, South Africa, Australia and New Zealand, in which a man might feel that he was taking a real though small part in the administration of a world-wide Empire.

## CHAPTER III

### THE PROVINCES AND THEIR PROCURATORS (*cont.*). ‘PROCURATORES ET PRAESIDES’

THE procurators, whom we have been considering in the last chapter, were purely financial officers, and, although entitled to some consideration by their office, were as a rule of secondary importance in their province. But there was a small class of imperial provinces, in which the procurator was himself governor and dealt singlehanded with the whole responsibility of administration and finance. These provinces were for the most part small and politically unimportant, but within them the procurator held the position of an ordinary provincial governor.

An exceptional position among these provinces is that occupied by Egypt. The conditions of that great and important country were in reality unique, and to enter fully into the details of its government would demand an independent thesis. But, inasmuch as its governor, the ‘praefectus Aegypti,’ was a knight, and not a senator, and was included in the equestrian career, this is the most natural place for the few remarks that must be made about it. In reality Augustus did nothing but simply continue the old kingly system: Egypt was treated as one vast imperial domain, and the

prefect ruled as viceroy, representing the Emperor. He was not only governor, but also chief financial officer as well<sup>1</sup>. The second person in the province was the 'iuridicus,' whose duties were mainly judicial and who represented the prefect in his absence<sup>2</sup>.

The study of the imperial government in Egypt is one that very well repays one's labour and promises very interesting results; but a real personal grasp of the subject can only be obtained by more minute and specialized research than I have been able to devote to it. I therefore make no secret of my indebtedness to the labours of others<sup>3</sup> for the few points which seem to demand a brief mention here. The one thing that strikes us most forcibly, is the wonderful variety that existed in the system, developed under the Empire out of the old Ptolemaic régime. For example, though at an early date in the Empire, the direct system of tax-collection makes its appearance, the indirect continued for a long time to exist side by side with it, and it is hard to draw any clear distinction between the classes of taxes collected under the one and the other system. In the case of indirect collection, the lease was for one year; there was in theory no compulsion to act as lessee, though, by way of abuse, coercion was sometimes exercised. The State ensured itself against loss by demanding sureties, and by appointing control officials. There was a gradual tendency, here as elsewhere, to replace indirect by direct collection. The unit of

<sup>1</sup> Cp. Rostowzew, in *Philologus*, Suppl.-b. iv. (1904), p. 459 ff.

<sup>2</sup> C. vi. 1638 'iu[ridico Alexandriae] vice praef. Aeg[ypti].'

<sup>3</sup> Cp. especially Wilcken's *Griechische Ostraka*. The researches of Grenfell and Hunt on this subject are already familiar to students.

taxation was the 'Gau,' or small country district. Egypt as a whole was divided into two big spheres, Upper Egypt (the Delta) and Lower Egypt (the Thebais): to these was added a third division, the 'Heptanomis,' between 68 and 130 A.D. For each of these an *ἐπιστρατηγός* or 'procurator' was appointed, with a number of subordinates (*στρατηγοί*) under him<sup>1</sup>. At the head of the whole of the finances stood the prefect himself. The chief financial officer under him, the *ἰδιόλογος*, was probably in charge of a special subdivision of the fiscus<sup>2</sup>.

Leaving aside, however, a closer inquiry into details, we may perhaps be permitted to say a few words about the general position of Egypt and its governor. Augustus' policy in regard to Egypt is clearly defined in some passages in Tacitus and Dio. Difficult of access, inhabited by a loose and superstitious people, supplying too a considerable quota towards the corn-supply of Rome, the province could not safely be entrusted to senators, whose political ambitions must have been inflamed by the tempting conditions of their power. He therefore determined to keep it in his own hands (*domi retinere*), by entrusting it to a Roman

<sup>1</sup> Cp. the 'proc. epistrategiae septem nomorum.'

<sup>2</sup> Paul Meyer (*Archiv für Papyrus-Forschung*, III. 1906, p. 86 ff.) regards the *ἴδιος λόγος* as a subdivision of the fiscus, embracing the 'caduca,' 'bona vacantia,' etc. Cp. Strabo, xvii. 1. 12, of the *ἴδιόλογος* δι τῶν ἀδεσπότων καὶ τῶν εἰς Καίσαρα πίπτειν ὀφειλόντων ἔξεταστής ἐστιν. The *οὐσιακὸς λόγος* was the Egyptian 'patrimonium' and was in the first two centuries A.D. a distinct branch. Hirschfeld in *Klio*, II. classes together the *ἴδιος* and the *οὐσιακὸς λόγος*, defining the latter as consisting of properties formerly in private possession.

knight as his viceroy<sup>1</sup>. In another passage, Tacitus tells us how Augustus, 'inter alia dominationis arcana,' forbade senators and distinguished Roman knights to enter Egypt without special leave, and placed it in a position apart (*seposuit Aegyptum*), his motive being to prevent a rebellious governor from starving out Rome<sup>2</sup>. Dio assigns a similar motive for his action<sup>3</sup>. The strength of Egypt was demonstrated by Vespasian in 69 A.D.; by occupying the province, he found himself in a position to cut off the Roman corn-supply, should his arms have proved unsuccessful. Augustus was successful in safeguarding against the apprehended danger. The first prefect, Cornelius Gallus, did, it is true, yield to the temptations of power and allowed his position to turn his head<sup>4</sup>. But after his speedy fall, we find a succession of loyal governors, who contented themselves with the legitimate prestige of their office. The 'praefectura Aegypti' was at first the highest post to which a knight could aspire; even in later times it regularly ranked second to the 'praefectura praetorio'<sup>5</sup>. The bestowal of the post on a slave by Tiberius is astonishing and exceptional<sup>6</sup>.

We pass on to the procuratorial provinces proper. Though vastly removed from Egypt in material importance, their position was in theory very similar. By placing them under purely private officials of his own, the Emperor treated them simply as imperial domains on a grand scale. The procurator, who succeeded the

<sup>1</sup> Tac. *H.* i. 11.

<sup>2</sup> Tac. *Ann.* ii. 59.

<sup>4</sup> *Ibid.* lxxiii. 23. 5.

<sup>6</sup> Dio, lviii. 19. 6 (c. 32—33 A.D.).

<sup>3</sup> Dio, li. 17. 1 ff.

<sup>5</sup> *L'Ann. Ép.* 1902, 50.

royal house in Noricum and the Cottian Alps, was himself a viceroy. Tacitus, in a passage of his 'Histories'<sup>1</sup>, speaks of these provinces as a separate class, but does not give a complete list of them; even had he given us one, it would have required modification inasmuch as the number of these procuratorial provinces was continually changing.

Immediately to the north of Italy lay a group of these provinces<sup>2</sup>. The 'Alpes Maritimae,' conquered by Augustus in 14 B.C.<sup>3</sup>, were placed under a 'praefectus'<sup>4</sup>, later a 'procurator' or 'praeses.' The fourteen communities, which in 8 B.C. erected a triumphal arch to Augustus, formed a kingdom ruled by King Donnus. His son is mentioned in an inscription<sup>5</sup>, and his grandson, M. Julius Cottius, received the title of king from Claudius<sup>6</sup>. Nero created the province of the 'Alpes Cottiae'<sup>7</sup>, and placed it under a 'procurator et praeses,' but the name 'regnum Cottii' still survived. The third Alpine district, the 'Alpes Graiae' (Poeninae, Atrectianae), probably formed originally a part of Raetia<sup>8</sup>, but later, probably in the course of the second century, became an independent province under a procurator. Raetia was conquered in 15 B.C. by Tiberius and Drusus<sup>9</sup>, and placed under a 'praefectus,' bearing the full title 'praefectus Raetis Vindolicis vallis

<sup>1</sup> Tac. *II.* 1. 11 'duae Mauretaniae, Raetia, Noricum, Thracia et quae aliae procuratoribus cohibentur....'

<sup>2</sup> For the whole of the following section Marquardt, *R. ST.* iv. 1. p. 240 ff., has been consulted.

<sup>3</sup> Dio, *LIV.* 24. 3.

<sup>4</sup> Strabo, p. 203, 4.

<sup>5</sup> C. v. 7231 (9—8 B.C.).

<sup>6</sup> Dio, *LX.* 24. 4.

<sup>7</sup> Suet. *Nero* 18.

<sup>8</sup> Cp. Marquardt, *op. cit.* pp. 281—2.

<sup>9</sup> Dio, *LIV.* 22. 1 ff.

Poeninae<sup>1</sup>.' M. Aurelius placed the new legion III Italica in the province, and from that time on the legate of the legion was governor. Noricum meets us at first as an independent kingdom, whose ruler supported Caesar against Pompey in 48 B.C. In 16 B.C. the Noricans invaded Histria with the Pannonians, but were beaten back by P. Silius: they seem to have submitted immediately afterwards. From this time on, Noricum is spoken of as a province, and was governed by a Roman procurator, but still retained the name, 'regnum Noricum<sup>2</sup>.' At first no troops were stationed in it, but M. Aurelius placed the legio II Pia there<sup>3</sup>, the legate of which, as in Raetia, replaced the procurator as governor. The two Mauretanias date as provinces from the early years of Claudius. Under Augustus, all Mauretania was united under the rule of Juba II, who reigned from 25 B.C.—23 A.D. His son and successor Ptolemaeus ruled from 23—40 A.D., but in the latter year was summoned to Rome by Gaius and murdered. The two new provinces formed by Claudius, Caesariensis and Tingitana, were placed under the rule of two procurators, but were occasionally united under one command<sup>4</sup>. Sardinia remained after 27 B.C. a senatorial province, but, owing to internal disorders, it received an imperial governor in 6 A.D.<sup>5</sup>, not a procurator, but a military 'praefectus.' Nero exchanged it with the Senate in 67 for Achaia, but Vespasian took it over

<sup>1</sup> *C.* ix. 3044.

<sup>2</sup> According to Mommsen it was not strictly a province until Tiberius' reign. Cp. *Suet. Tib.* 16, where it is called 'regnum Noricum.'

<sup>3</sup> Cp. *Dio*, **LV**. 24. 4.

<sup>4</sup> *Tac. H.* II. 58. Cp. *C.* VIII. 9002, 9366.

<sup>5</sup> *Dio*, **LV**. 28. 1.

again. Henceforward it was governed by procurators, except, it seems, for a brief period in the reign of M. Aurelius<sup>1</sup>. Corsica, which shared the fortunes of Sardinia in 27 B.C. and 6 A.D. and formed with it one command, was probably not restored to the Senate in 67 A.D. The 'Decumius Pacarius, procurator Corsicae' who attempted to raise troops against Otho can hardly have been anything but the governor of the island<sup>2</sup>. So, too, we find mention in an inscription of three successive procurators of Vespasian<sup>3</sup>. The L. Vibrius Punicus, who appears as 'praefectus Corsicae' in an inscription<sup>4</sup> of the early Empire, seems likewise to have been an independent governor. Epirus, which from 27 B.C. on formed a part of Achaia<sup>5</sup>, was, at the time when Ptolemaeus wrote (under Antoninus Pius), a separate procuratorial province<sup>6</sup>. The Hellespont, probably formed as a separate province by Vespasian<sup>7</sup>, and Liburnia must also be added to our list<sup>8</sup>. Thrace, which remained for a time under the rule of native princes in complete dependence on Rome, was placed by Claudius under a procurator<sup>9</sup>, but Trajan substituted for him a 'legatus Augusti pro praetore.' Cappadocia was governed by a procurator from the time of its foundation as a province in 17 A.D. to the time of Vespasian<sup>10</sup>. The latter Emperor placed an important military command there under a 'legatus Augusti pro

<sup>1</sup> *Life of Severus*, 2. 4.

<sup>2</sup> Tac. *H.* ii. 16.

<sup>3</sup> *C.* x. 8038, ep. 8036.

<sup>4</sup> *C.* xii. 2455.

<sup>5</sup> Dio, LIII. 12. 4.

<sup>6</sup> Ptolem. III. 14, ep. *C.* III. 12299.

<sup>7</sup> Cp. *C.* v. 875 (c. 105 A.D.).

<sup>8</sup> *C.* III. 1919 (and p. 1030).

<sup>9</sup> *C.* ix. 4753, III. 6123 (61 A.D.).

<sup>10</sup> For procurators there ep. Tac. *Aun.* XII. 49.

consule<sup>1</sup>, and afterwards extended it in size. Bithynia and Pontus formed a single senatorial province, but under Claudius and Nero, and again under Vespasian, we find procurators who were apparently 'praesides' as well<sup>2</sup>. Pamphylia, too, was ruled by a procurator in 50 A.D.<sup>3</sup>, whilst the later union of Lycia and Pamphylia under a legate only dates from the year 74. The history of the procurators in Judaea is of great interest, and, inasmuch as we have an unusually large amount of information about them in the pages of Josephus and Tacitus, we can draw from it much valuable information about procuratorial rule in general. From 40—4 B.C. the land was ruled by Herod the Great as king, or rather, in reality, as Roman procurator with royal title<sup>4</sup>. On his death his kingdom was divided among his three sons, and Archelaus, to whose share fell Judaea, Samaria and Ituraea, governed as *ἐθνάρχης* from 4 B.C.—6 A.D. In that year Archelaus was banished to Gaul, and procurators were appointed, probably in dependence on the governor of Syria. From 41—44 A.D. Herod Agrippa, the friend of Claudius, again ruled a united kingdom of Judaea, but from 44—66 procurators again held sway<sup>5</sup>. After the destruction of Jerusalem in 70, Judaea was placed under a legatus Aug. pro praetore ('pro consule' in time of war). There still remain for mention the Spanish district of Asturia and Callaecia, which was separately governed by procurators at various times during the

<sup>1</sup> Suet. *Vesp.* 8.

<sup>2</sup> C. III. 346 (158—9 A.D.), 6993 (78 A.D.), ep. Tac. *Ann.* XII. 21.

<sup>3</sup> C. III. 6737.

<sup>4</sup> Cp. Joseph. *Ant. Jud.* 15. 10, 3 (354 ff.).

<sup>5</sup> Tac. *H. v.* 9.

first century<sup>1</sup>, but is found later under an imperial legate; Mesopotamia, which, after Septimius Severus had made it a province, was governed first by procurators<sup>2</sup>, afterwards by a 'praefectus'<sup>3</sup> who had under his command the legions I and III Parthica; and Osrhoene, which was taken by Caracalla from its prince Abgarus<sup>4</sup> and made a procuratorial province<sup>5</sup>.

Beside these provinces, there was a number of small coast and border districts, islands and native tribes, which were governed by 'procuratores' or 'praefecti'—the latter purely military officers—dependent on the neighbouring governors. It will be enough to instance the 'praefecti gentium' in Africa<sup>6</sup>, the 'praefecti orae maritimae Laeatae' in Spain<sup>7</sup>, the 'praefectus ripae fluminis Euphratis'<sup>8</sup>, and the 'proc. insularum Melitae et Gauli'<sup>9</sup>. Such commands were naturally of quite minor importance, and were frequently given to freedmen, or, where the post was of a military character, to officers.

On a survey of the general history of these provinces, one or two points stand out in marked prominence. In the first place, they were in large part newly conquered mountain or frontier districts, and the governor first appointed, the 'praefectus,' was more of a military than a civil ruler<sup>10</sup>. Secondly, they were regarded at first

<sup>1</sup> *C. v.* 534, *xii.* 1855. *Cp. ii.* 3271 (praef. Galliciae), and 4616 (praefectus Asturiae).

<sup>2</sup> *C. viii.* 9760.

<sup>3</sup> *C. vi.* 1638, 1642.

<sup>4</sup> *Dio, LXXVII.* 12. 1<sup>a</sup>, 1<sup>2</sup>.

<sup>5</sup> *C. XII.* 1856.

<sup>6</sup> *C. viii.* 5351, 10500. *Cp. 'proc. Aug. ad curam gentium,' viii.* 9327.

<sup>7</sup> *Cp. C. ii.* 4138, 4217.

<sup>8</sup> *C. XII.* 1357.

<sup>9</sup> *C. x.* 7494.

<sup>10</sup> E.g. in Raetia, Sardinia; *cp. Strabo, iv.* 6, 4, *p.* 203, *ἐπὶ δὲ*

not as provinces proper, but as annexed states. Hence the Emperor ruled them by virtue, not of his proconsular 'imperium,' but of the rights of the king or chieftain that passed over to him<sup>1</sup>. Lastly, these provinces frequently passed, after a period of procuratorial government, under the rule of a legate: the reason for the change usually lay in the necessity of placing, for political purposes, larger military forces in the province<sup>2</sup>.

From this general discussion of the character of these provinces we proceed to consider the functions of the procurators who governed them. Their sphere was naturally far wider than that of the financial procurators of the other provinces: for while, like them, they managed the finances, they had also the duties of administration and jurisdiction that fell elsewhere to the proconsular legate. The dual nature of their duties is aptly expressed in the verses written by a procurator of the 'Alpes Graiae,' especially in the line

‘dum ius guberno remque fungor Caesarum<sup>3</sup>.’

The procurator was in complete charge of the revenues of the province. But, in addition to this, he had the charge of justice. His judicial competence of course covered all civil cases, but, in criminal cases, did not include the power of life and death over Roman citizens, unless the 'ius gladii' had been expressly conferred on him by the Emperor. The nature of this 'ius gladii'

*τοὺς ὁρεινοὺς πέμπεται τις ὑπαρχος τῶν ιππικῶν ἀνδρῶν καθάπερ καὶ ἐπ' ἄλλους τῶν τελέως βαρβάρων.*

<sup>1</sup> Cp. Mommsen, *R. SIR.*, II. 1. 247.

<sup>2</sup> E.g. in Raetia and Noricum under M. Aurelius, in Judaea (70 A.D.), in Cappadocia under Vespasian.

<sup>3</sup> *C. XII.* 103.

is defined by a passage in Dio. The right to wear the sword, he explains, whether in the case of legate, proconsul or procurator, depends on that of putting a Roman soldier to death<sup>1</sup>. Any governor possessing the latter right possesses the former with it. Express mention of its conferment is sometimes found in inscriptions<sup>2</sup>. Mommsen would infer that these very procurators, who mention it in their title, were as a rule without it<sup>3</sup>. The words of Ulpian, 'qui universas provincias regunt, ius gladii habent et in metallum dandi potestas eis permissa est'<sup>4</sup>, must include these procurators as well. We should probably infer from this that by Ulpian's time the 'ius gladii' was regularly conferred in every case. When Josephus speaks of Coponius being sent out to rule Judaea *τὴν ἐπὶ πᾶσιν ἔξουσίαν*, he is thinking of the power of life and death over all non-Romans<sup>5</sup>.

Abundant evidence of the activity of these procurators in their provinces survives in inscriptions. Their duties were of course the ordinary ones of provincial governors, but it will illustrate their position if we quote a few instances here. One of their chief duties was that of supervising the building of camps and other military works, of baths, aqueducts and

<sup>1</sup> Dio, LIII. 13. 7 ἀλλ᾽ γὰρ οὐδένι οὔτε ἀνθυπάτῳ οὔτε ἀντιστρατήγῳ οὔτε ἐπιτρόπῳ ξιφοφορεῖν δέδοται, φέ μὴ καὶ στρατιώτην τινὰ ἀποκτεῖναι ἔξεναι νενόμισται· οὐ γὰρ ὅτι τοῖς βουλευταῖς, ἀλλὰ καὶ τοῖς ἵππεῦσιν, οἵτινθ' ὑπάρχει, καὶ ἐκεῖνο συγκεχώρηται.

<sup>2</sup> Cp. C. III. 1919, Liburnia, IX. 5439, Alpes Atrectianae, VIII. 20995, Maur. Caes.

<sup>3</sup> Mommsen, *R. StR.* II. 1. 269, 270.

<sup>4</sup> Digg. I. 18, 6, S. 8.

<sup>5</sup> Joseph, *Ant. Jud.* 18. 1, 1 (2). Cp. *De B. J.* II. 8. 1 (117) μεχρὶ τοῦ κτείνειν λαβὼν παρὰ Καίσαρος ἔξουσίαν.

similar structures. The commemorative inscription regularly takes the form of a dedication to the reigning Emperor, mentioning the character of the work accomplished and introducing the name of the procurator, usually in the formula, 'curante...proc. Aug.<sup>1</sup>.' The repair of the roads and the setting up of milestones was another important duty<sup>2</sup>. Another common task was that of fixing the boundary between tribes. So M. Vettius Latro, procurator of Mauretania Caesariensis, in 128 A.D. fixed the boundary between the Igilgitani and the Zimizes<sup>3</sup>, and, in 137, C. Petronius Celer in the same province defined the territory of the Regienses and an imperial domain<sup>4</sup>, and again assigned lands to the 'gens Numidarum<sup>5</sup>'. The proconsul of Sardinia in 69 A.D. enforces a previous decision of the procurator, M. Juventius Rixa, in regard to disputed territory<sup>6</sup>. The procurator would also have to treat at times with native tribes in or on the borders of his province: a trace of such action is preserved in an inscription where a certain P. Aelius Crispinus, procurator of Mauretania Tingitana, makes a dedication to the Emperor, to commemorate his conference with the chiefs of certain tribes<sup>7</sup>. It naturally also fell to the procurator to execute any special commissions that the Emperor might entrust to him. So, for example, the prince Mithridates was seized and sent to Rome by Junius Cilo, procurator of Pontus<sup>8</sup>.

<sup>1</sup> Cp. C. viii. 2728, an aqueduct, 20834, a wall, viii. 10351, 8991, 8828, and others.

<sup>2</sup> For milestones cp. viii. 22621, and 4, x. 8027, 8028, 8011, and very many others.

<sup>3</sup> C. viii. 8369.

<sup>4</sup> C. viii. 21663.

<sup>5</sup> C. viii. 8813.

<sup>6</sup> C. x. 7852.

<sup>7</sup> C. viii. 21826.

<sup>8</sup> Tac. Ann. xii. 21.

Such troops as were stationed in these provinces were under the command of the procurators, but they were in no case legionaries, but only auxiliary infantry and cavalry ('cohortes' and 'alae') and local militia. A number of military 'diplomata' survive—documents of discharge granted to veterans—and these give us definite information about the forces stationed at different times in different provinces. The garrison of Mauretania Caesariensis consisted in 107 A.D. of 3 alae and 10 cohorts<sup>1</sup>, and in 150 of 5 alae (the cohorts are not mentioned<sup>2</sup>). In 69, according to Tacitus, the garrison of the two Mauretanias, united under the rule of Albinus, amounted to 19 cohorts, 5 alae, and a large levy of Moors<sup>3</sup>. In the province of Caesariensis, a strong garrison was a necessity, owing to the extent of the country and the wild character of the natives<sup>4</sup>. In the third century there stood on the frontier at least three alae (each 1000 strong), 6 cohorts, and 3 numeri or detachments. There was a marked preponderance of light-armed troops and cavalry. On occasions of special trouble, detachments of legions or auxiliary corps were called up from other provinces. The garrison of Mauretania Tingitana was not so considerable<sup>5</sup>. It was really an advance-guard thrown out to defend Spain against the Moors. In Noricum there stood in 153 A.D. 4 alae and 14 cohorts<sup>6</sup>: in Raetia in 108 A.D. 4 alae and 11 cohorts<sup>7</sup>: and in 166 A.D. 3 alae

<sup>1</sup> *C. viii.* 20978.

<sup>2</sup> *C. iii.*, D. c. p. 2213.

<sup>3</sup> *Tac. H. ii.* 58.

<sup>4</sup> Cp. here Cagnat, *L'Armée Romaine d'Afrique*, p. 267 ff.

<sup>5</sup> Cp. Cagnat, *op. cit.* p. 315 ff.

<sup>6</sup> *C. iii.*, D. LXIV. p. 1988.

<sup>7</sup> *C. iii.*, D. xxiv. pp. 866—7.

and 13 cohorts<sup>1</sup>. Sardinia had in 88<sup>2</sup> and 96 A.D.<sup>3</sup> two cohorts. In provinces like the small Alpine districts, there was probably nothing but local militia. The chief duties of the garrisons lay in the maintenance of internal order and, on frontiers, in the defence of the border against barbarous tribes. In the Mauretanias the procurator had more opportunity than elsewhere to display his powers as a commander<sup>4</sup>. Serious revolts among the Moors were not infrequent—we hear of them in the reigns of Hadrian<sup>5</sup>, Pius<sup>6</sup>, M. Aurelius<sup>7</sup>, and Alexander Severus<sup>8</sup>—and often called for a temporary strengthening of the garrison. In several inscriptions of Caesariensis the procurator commemorates his triumph over insurgent tribes<sup>9</sup>, and, in 240, the governor of the province invaded the province of Africa to put down a revolt against Gordian III<sup>10</sup>. In the province of Tingitana there was constant warfare with the wild tribes of the West Coast of Africa. They frequently invaded the undefended province of Baetica, and had to be expelled from it by the governor of Tingitana, as on the occasion commemorated in the inscription, where the people of Italica render thanks to C. Vallius Maximianus for repelling the Moors and restoring peace to the province<sup>11</sup>. In Sardinia the

<sup>1</sup> *C. iii.*, D. LXXXIII. p. 1991. <sup>2</sup> *C. iii.*, D. xx. p. 1964.

<sup>3</sup> *C. iii.*, D. xviii. p. 861. <sup>4</sup> Cp. here Cagnat, *op. cit.* p. 40 ff.

<sup>5</sup> Cp. *Life of Hadrian*, 5 and 12. <sup>6</sup> *Life of Pius*, 5.

<sup>7</sup> *Life of M. Aurelius*, 21.

<sup>8</sup> *Life of Alex. Sev.* 58 ‘actae sunt res feliciter et in Mauretania Tingitana per Furium Celsum.’

<sup>9</sup> *C. viii.* 9288, 21486. <sup>10</sup> *Life of Gordian*, iii. 23. 4 ff.

<sup>11</sup> *C. ii.* 1120 (date prob. 161—9). Cp. the inscription dedicated by Singilia Barba to the same man, ‘ob municipium diutina ob-sidione et bello Maurorum liberatum,’ ii. 2025.

procurator was chiefly concerned in preserving internal order; the island, however, was notoriously unruly and also lay exposed to the ravages of pirates, conditions which led in the first instance to the appointment of a military 'praefectus' in 6 A.D.<sup>1</sup>. Raetia and Noricum were customarily peaceful, the defence of the frontiers falling to the armies of the Rhine and Danube. When the barbarian invasions in the reign of Marcus Aurelius fell heavily on these provinces, a legion was placed in each, and the legate of the legion replaced the procurator as governor. In Judaea, owing to special conditions, the troops never lacked employment, but it cannot be said that the procurators displayed any high military qualities in the handling of them. The main objects were to keep in check an excitable and unruly population, and above all to repress the bands of robbers that infested the country and made it unsafe for all peacefully disposed persons. The procurators often interfered with energy to repress suspicious popular movements<sup>2</sup>, but they never succeeded in rooting out the bandits, and ended by making common cause with them<sup>3</sup>. When the revolt broke out, the provincial garrison was quite inadequate to meet it, and help was instantly summoned from Syria. After the revolt, the old form of government was not restored; it had shown itself to be quite unequal to the task of controlling a difficult province, and the remedy was found in the appointment of a legate with a legion

<sup>1</sup> Dio, lv. 28. 1 ff.

<sup>2</sup> Cp. Josephus, *Ant. Jud.* 18. 4, 1 ff. (85 ff.); 20. 1, 1 ff.; 20. 5, 1 ff. (97 ff.).

<sup>3</sup> Cp. Josephus, *Ant. Jud.* 20. 8, 10 ff. (1 ff.).

under his command. Perhaps the best instance, however, of the inadequacy of these provinces for serious warfare was given by the contemptible Julius Paelignus, procurator of Cappadocia in 51. Radamistus, son of Mithridates of Iberia, had possessed himself by treachery of Armenia, and Paelignus felt himself called upon to reassert the dignity of Rome. He summoned his forces and set out to recover Armenia. On the march his troops deserted him, and he ended by obtaining a post as courtier at the usurper's court<sup>1</sup>.

After what has been said, it will be readily understood that these minor provinces could play no important part in the history of the Empire. In times of unrest, they naturally followed the lead of the larger and better garrisoned provinces near them<sup>2</sup>. Thus, in the civil wars of 69 A.D., Petronius Urbicus, procurator of Noricum, stood loyal to Otho with Italy and the Illyrian provinces<sup>3</sup>, whereas Porcius Septiminus took his cue from the German armies and held out for Vitellius against Vespasian<sup>4</sup>. An attempt, like that of Decumius Pacarius in Corsica, to initiate a policy of his own, was bound to end speedily in undignified and fatal failure<sup>5</sup>, and the soaring ambition of Luceius Albinus in Mauretania was soon brought low by his murder<sup>6</sup>. These provinces were expressly designed not to exercise any serious political influence, and this

<sup>1</sup> Tac. *Ann.* xii. 49.

<sup>2</sup> Tac. *H. i.* 11 'duae Mauretaniae, Raetia, Noricum, Thracia, et quae aliae procuratoribus cohibentur, ut cuique exercitui vicinae, ita in favorem aut odium contactu valentiorum agebantur.'

<sup>3</sup> Tac. *H. i.* 70.

<sup>4</sup> *Ibid.* iii. 5.

<sup>5</sup> *Ibid.* ii. 16.

<sup>6</sup> *Ibid.* ii. 58 it was rumoured 'spreto procuratoris vocabulo Albinum insigne regis et Iubae nomen usurpare.'

motive accounts in many cases for their first creation. It was not always to the Emperor's advantage to have a strong military command to dispose of. The erection of the group of small provinces under procurators, immediately to the north of Italy, was a deliberate stroke of policy. Augustus saw the danger of bringing the great armies too near Rome, and, with this in mind, he protected Italy by a mass of buffer provinces, weak in themselves, but capable of placing some obstacle in the advance of a rebellious governor from the Rhine or Danube<sup>1</sup>.

The procurator's chances of winning military laurels then were scanty. He had no practical influence outside the bounds of his province. But some scholars go farther than this, and restrict his competence even inside his own sphere<sup>2</sup>. They would have us believe that in every case the procurator was dependent on the legate of a neighbouring province, who would interfere on occasion of serious trouble. But this assertion, though made with great confidence, rests on very slight evidence. Only in the case of the procurator of Judaea is such dependence probable; even here, as we shall see below, it is not certain, and, even if it were, it would not be sufficient to establish the general rule. The evidence that Zumpt adduces to prove the dependence of the procurator of Raetia on the legate of Germania Superior, and of the procurators of the Mauretaniae on the legate of Numidia, is absolutely insufficient<sup>3</sup>. He

<sup>1</sup> Mommsen, *R.G.* v. 16, 17.

<sup>2</sup> Cp. here Zumpt, *Studia Romana*, p. 105 ff.

<sup>3</sup> Cp. Zumpt, *op. cit.* p. 139.

virtually assumes the general principle, and then explains various passages on that assumption. In the absence of all serious evidence, we may safely reject the general application of this principle. It is another question, however, whether Judaea may not have formed an exception to the rule. The province is actually spoken of as an 'appendage' ( $\pi\rhoοσθήκη$ ) of Syria<sup>1</sup>, and the numerous cases of interference on the part of the Syrian governor<sup>2</sup> suggest that the procurator stood in a position of dependence to him. A notable instance is that of Felix and Cumanus, the rival procurators of Samaria and Judaea. Out of personal enmity they encouraged raids on one another's territory, and actually received the spoil themselves. Quadratus, legate of Syria, received authority from Claudius to decide between them, and sent Cumanus to answer to Claudius at Rome: Felix escaped, thanks to his powerful connections<sup>3</sup>. It should be observed, however, that Quadratus, in this instance, received from Claudius a special 'ius statuendi de procuratoribus'<sup>4</sup>, whilst L. Vitellius, who deposed Pilate, held at the time an exceptional command in the East. The right conclusion would therefore seem to be that, even in this case, the procurator was in theory independent, but that, owing

<sup>1</sup> Cp. Joseph. *Ant. Jud.* 17. 11, 2 (304 ff.) (4 B.C.), a section of the Jews' petition to be made a  $\pi\rhoοσθήκη Συρίας$ .

<sup>2</sup> E.g. of Vitellius against Pontius Pilate, 37 A.D. (Joseph. *Ant. Jud.* 18. 4, 2 (84 ff.)). Cp. Joseph. *Ant. Jud.* 20. 1, 1 (1 ff.). Fadus, procurator of Judaea, acts in concert with Longinus, legate of Syria (125 ff.). Cp. Joseph. *Ant.* 20. 6, 2, the Jews appeal to legate of Syria, who then sends Cumanus to Rome for trial.

<sup>3</sup> Tac. *Ann.* XII. 54.

<sup>4</sup> Tacitus, *loc. cit.*

to the special conditions of the country, a practical right of supervision often fell to the legate of Syria<sup>1</sup>.

Throughout this chapter, we have spoken of these minor governors by the name of procurators. This title was perhaps the most common, but it was by no means the only one in use. We must now discuss the other titles that are found and attempt to define the exact meaning of each.

The first is that of ‘praefectus.’ Mommsen has neatly expressed the difference between this title and that of procurator thus: both denote an equestrian governor, nominated by the Emperor, but, while ‘procurator’ has reference mainly to civil duty, ‘praefectus’ looks rather to military. Such ‘praefecti’ occur with especial frequency in the early Empire. A C. Baebius Atticus was ‘praef. c[i]vitatum Moesiae et Treballia[e]’, and again ‘[pra]ef. [ci]vitat(ium) in Alpib(us) Maritumis’ during Claudius’ reign<sup>2</sup>. The former of these posts probably corresponds to the later procuratorship of Thrace. Sextus Pedius Lusianus Hirruttus was ‘pra[ef]’. Raetis Vindolicis valli[s P]joeninae’ at a date before 19 A.D.<sup>3</sup>, and M. Julius Cottius, son of King Donnus of the Cottian Alps, bears the title ‘praefectus civitatum’ in an inscription of the year 10—9 B.C.<sup>4</sup>. We have already seen that in 6 A.D. a military ‘praefectus’ was sent to Sardinia to restore order in the island<sup>5</sup>. The occurrence of this title in so many of the procuratorial provinces in their early years shows clearly that it

<sup>1</sup> Cp. Hirschfeld, *K. VB.*, p. 406 ff., who comes to much the same conclusion.

<sup>2</sup> C. v. 1838 and 9.

<sup>3</sup> C. ix. 3044.

<sup>4</sup> C. v. 7231.

<sup>5</sup> Dio, lv. 28. Dio calls him *στρατιάρχης*.

represents a distinct stage in their development. So long as the tribes had not learnt to settle down peaceably to Roman rule, the military character of the government is reflected in the title 'praefectus.' When settled peace is once secured, the civil officer, the 'procurator,' appears. A variation of the title occurs in the form of 'procurator Aug. praefectus<sup>1</sup>' in a number of Sardinian inscriptions. Here the combination of the two names expresses at once both sides, civil and military, of the governor's position. What the original title of the procurator of Judaea was, is a vexed question. Josephus usually names him *ἐπίτροπος*<sup>2</sup>, and Tacitus follows him with the word 'procurator'<sup>3</sup>. But, in several passages, Josephus employs the name *ἐπαρχος*<sup>4</sup>, which is often found as the Greek equivalent of 'praefectus,' and hence it has been suggested that this was the regular title in the earlier stages, but that Josephus and Tacitus, writing at a later date, naturally introduce the phraseology of their own day into the majority of passages. But *ἐπαρχος* may also denote vaguely 'governor,' and, in view of the comparatively small number of passages in which it is found, it is more probable that here 'procurator' was the title in use from the first. The 'praefectus' of Mesopotamia bears the title in a rather different sense, for he was simultaneously 'praefectus' of the legions I and III Parthica and governor of the province<sup>5</sup>.

<sup>1</sup> Cp. *C. x.* 7580, 7585, and many others.

<sup>2</sup> Joseph. *Ant.* 20. 5, 3 (117), *De B. J.* II. 8, 1 (117 ff.); II. 12, 1 (223 ff.).

<sup>3</sup> Tac. *Ann.* XII. 54; XV. 44; *H. v.* 10.

<sup>4</sup> Jos. *Ant.* 19. 9, 2 (363).

<sup>5</sup> Cp. *C. vi.* 1842.

A second title of frequent occurrence at a later date is that of 'procurator et praeses'<sup>1</sup> or 'praeses' alone<sup>2</sup>. The title 'praeses' was a general one, denoting a governor, and could be applied equally well to a proconsul or legate<sup>3</sup>. In course of time, however, it came to be applied particularly to the lowest class of governors, those of equestrian rank, who lacked a special distinguishing name; as a title proper it only came into use in the second half of the third century<sup>4</sup>.

A third title, of rare occurrence, is that of 'procurator pro legato.' It is certainly a mistake to regard this as the full and distinctive title of the procurator<sup>5</sup>. The right explanation is almost certainly that suggested by Cagnat<sup>6</sup>, and also adopted by Hirschfeld<sup>7</sup>. The 'procurator pro legato' was the procurator holding a special military command over legionary troops and invested for the occasion with the title of 'legatus'. The actual instances of its use that we possess fully bear out this view. The 'procur(ator) Augustor(um) et pro leg(ato) provinciali Raitiai et Vindelic(iai) et vallis Poenin(ai)' of the reign of Claudius marks the transition from military to civil government in Raetia<sup>8</sup>. The other

<sup>1</sup> Cp. C. vi. 1636, 1642 and 3 (Sardinia), (Alpes Cottiae).

<sup>2</sup> Cp. C. viii. 9360, 20996; x. 8013.

<sup>3</sup> Cp. Digg. i. 18, 1 'Praesidis nomen generale est, eoque et proconsules et legati Caesaris et omnes provincias regentes, *licet* senatores sint, praesides appellantur.'

<sup>4</sup> Cp. Mommsen, *R. StR.* ii. 1, p. 240, note 2.

<sup>5</sup> As does Marquardt, *R. StV.* i. p. 557.

<sup>6</sup> Cagnat, *L'Armée Romaine d'Afrique*, *loc. cit.*

<sup>7</sup> Hirschfeld, *K. VB.* p. 390 ff.

<sup>8</sup> Detachments of legions were sometimes sent to procuratorial provinces on occasions of special need (cp. Cagnat, *loc. cit.*).

<sup>9</sup> C. v. 3936.

cases in which a province is mentioned all have reference to Mauretania Tingitana, a province which was constantly troubled by the Moors and therefore frequently required an addition to its garrison in the form of detachments of legions from neighbouring provinces<sup>1</sup>.

It might perhaps be expected that these procuratorships, with their twofold duties of administration and finance, would hold a much higher position than the purely financial ones. This, however, is not the case. The more important of them certainly stand high in the equestrian career, but the smaller commands, such as those of the Alpine districts, rank remarkably low, and none stands as high as the procuratorship of Lugdunensis and Aquitanica or of Belgica and the two Germanies<sup>2</sup>. Raetia was apparently the highest in rank; its command was held after that of Mauretania Caesariensis<sup>3</sup>, or again after that of Noricum and before that of Lugdunensis and Aquitanica. Noricum stood one grade below Raetia<sup>4</sup>, and the two Mauretanias also ranked about as high<sup>5</sup>. The rest take a decidedly lower place.

It is an interesting question how far this form of government benefited the provincials. Our information is scanty except in a single instance<sup>6</sup>, but even this is

<sup>1</sup> For the title cp. viii. 9990, xii. 1856 (Maur. Tingitana). Cp. ix. 4678, v. 7370 (no mention of provinces).

<sup>2</sup> Cp. here Liebenam, *Beitr. zur Verw. G.* pp. 26—30 and especially p. 35, but he seems to place the 'Alpes Maritimae' and 'Atrectianae' far too high on his list.

<sup>3</sup> *C.* iii. 5212.

<sup>4</sup> *C.* ix. 4964.

<sup>5</sup> Cp. *C.* ii. 4135, Maur. Ting., between Tarraconensis and Maur. Caes., iii. 5212, Maur. Caes. between Lusitania and Raetia.

<sup>6</sup> That of Judaea.

enough to enable us to draw some conclusions about the character of procuratorial rule in general. It appears to have answered well in the cases for which it was first designed, namely those of the barbarous tribes, which were only half reconciled as yet to Roman rule; but where it was extended to other conditions its latent evils emerged into alarming prominence.

## CONCLUSION

THERE is one fact, which this essay, if it has not entirely missed its goal, must have brought into great prominence,—I allude to the extraordinarily high general standard of Roman provincial administration under the Empire. The subject is so interesting, that I had at first intended to devote a special chapter to it; but on second thoughts, realizing that I have nothing of real importance to add to what has already been written, I have decided to limit myself to the barest summary. Fuller information may be found in many standard works, especially, for example, in Mommsen's great work on *The Provinces under the Empire*. The conscientious and well-directed labours of scholars have brought to light the once neglected truth, that the provinces as a rule enjoyed a very high degree of happiness and prosperity under Roman imperial rule. The causes for this were no doubt many and varied. I will merely insist on several, which are directly connected with those financial measures and institutions, which we have been considering. In the first place, the substitution of direct for indirect collection of taxes was in itself a great advance. The point is too clear to require discussion, and we can only wonder how it was that so many ancient states were content to endure the inconveniences and abuses of the

indirect system. Of equal importance was the institution of an efficient central control in the person of the Emperor. The Senate, with the intense feeling of caste, familiar in oligarchies, had always been inclined to look with indulgence on erring governors. A Verres might occasionally be condemned for extortion, but it was only because there are limits even to indulgence, and because extortion beyond a certain point tends to defeat its own aim. With the reforms of Augustus, all this was changed. The Emperor, even if he were an extortioner himself, had no interest in allowing others to enrich themselves at the expense of the State; and, from the point of view of the provincials, one bad master is better than many. Good administrators, such as Tiberius in his early years, watched with an earnest care over the well-being of the provinces and did not omit to safeguard their interests. It is a significant fact, that the provinces which were directly under the Emperor's government enjoyed greater prosperity on the whole, than those which were under the Senate's. Thus the world for a time enjoyed undisturbed the blessings of a settled peace. Taxation was not unreasonably high, there was no unnecessary barbarity in the collection. The Emperors had come to grasp the truth, that the wise farmer will have his sheep shorn not fleeced<sup>1</sup>. It could seldom now be said with truth of a governor and his province, 'divitem inops ingressus inopem dives reliquit.' Tacitus, in the early chapters

<sup>1</sup> Cp. Dio, LVII. 10. 5 Tiberius' message to Aemilius Rectus, prefect of Egypt, who had sent him more than the prescribed amount ...ἀντεπέστειλεν, ὅτι κείρεσθαί μοι τὰ πρόβατα, ἀλλ' οὐκ ἀποξύρεσθαι βούλομαι.

of his *Annals*<sup>1</sup>, discussing the foundation of the Empire by Augustus, tells us casually 'neque provinciae illum rerum statum abnuebant, suspecto senatus populique imperio ob certamina potentium et avaritiam magistratum, invalido legum auxilio, quae vi, ambitu, postremo pecunia turbabantur.' To Tacitus, the high-born Roman, the approval or disapproval of the provinces probably seemed a matter of minor importance; he would certainly have been surprised could he have foreseen, that in the judgment of posterity, the silent testimonial paid by the provinces to the imperial government would outweigh all the complaints and accusations, even when reinforced by his own eloquence, of the Roman aristocracy.

<sup>1</sup> Tac. *Ann.* i. 2.

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